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JULY 17, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, July 17, 1986 at 1700 hours in a Special Meeting.

PRESENT: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

## 1. Attorney-Client Conference

JULY 17, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, July 17, 1986 in a Regular Meeting.

PRESENT: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

APPROVAL OF THE MINUTES OF MEETING OF MAY 22, 1986

The minutes of the meeting of May 22, 1986 were approved, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 727-86MICHAEL DeGEORGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael DeGeorge in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 728-86ABC TOWING (GREGORIE GALLIPEAU)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Gregorie Gallipeau) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 729-86

ABC TOWING (THOMAS CHENG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Thomas Cheng) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 730-86

ABC TOWING (ALBERT JOHNSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Albert Johnson) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 8, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 731-86

ABC TOWING (PAUL BECKER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Paul Becker) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 732-86

ABC TOWING (MITCHELL EMERSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mitchell Emerson) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 733-86

ABC TOWING (STEFANIE MATTFIELD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Stefanie Mattfield) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 13, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 734-86

ABC TOWING (MICHAEL LEMONS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Michael Lemons) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 15, 1985 and May 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 735-86

ABC TOWING (CHINESE CONSUL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Chinese Consul) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 736-86

ABC TOWING (FRANK CULLEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Frank Cullen) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 737-86

WILLIAM CASE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Case in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 738-86

JACK BOULWARE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack Boulware in the sum of \$56.70 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





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RESOLUTION NO. 739-86

JOE FRAZIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Frazier in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 740-86

MARTY ROSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marty Rosen in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 22, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 741-86

JIM FLETCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jim Fletcher in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 742-86

ANTONIETA MARTINEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Antonieta Martinez in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 743-86

JAY JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jay Johnson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



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RESOLUTION NO. 744-86

ANITA McANDREWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anita McAndrews in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 745-86

CAROL L. JANE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol L. Jane in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 17, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 746-86

DAVID HOLTZMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Holtzman in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 747-86

ROBERT KAUFMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Kaufman in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 748-86

EARL D. YERINA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Earl D. Yerina in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





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RESOLUTION NO. 749-86

RICHARD J. HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard J. Hernandez in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 750-86

DOUGLAS M. ARTHUR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Douglas M. Arthur in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 751-86

BRUCE FELDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Feldman in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 752-86

URSULA EGLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ursula Egli in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 753-86

RONALD BOURDON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Bourdon in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 754-86

STANLANSAN SHAREEF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stanlansan Shareef in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 755-86

CAROLE A. LEVINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carole A. Levine in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 756-86

ABC TOWING (LI FAYOU)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Li Fayou) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 757-86

ABC TOWING (JANET HERNDON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Janet Herndon) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 758-86

ABC TOWING (SUSAN LEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Susan Lee) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 759-86

PROSPER BENHAIM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Prosper Benhaim in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 760-86

WILLIAM A. GODSOE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William A. Godsoe in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 761-86

ELISE WEBSTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elise Webster in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 762-86

MELISSA GAINES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melissa Gaines in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 763-86

TERUMI NISH-KAWA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terumi Nish-Kawa in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 764-86

JAMES LANSING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Lansing in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 765-86

KERRILYN RENSHAW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kerrilyn Renshaw in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 766-86

NORMAN DAHLBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman Dahlberg in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 29, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

There was no Commission report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he just wanted to make a couple of comments. One, he said, he felt the Commission was already aware of and it is the Police Department's Decoy Program in the Tenderloin District and the excellent results that were received during the eight weeks they were in operation. There were, he said, a number of arrests, 26 separate arrests in a two-month period for all the north of Market area. The great majority of them, he said, are career criminals. He said many of them had history of robberies and assaults on elderly people. He said they found that every single one of the arrested persons have been held to answer and now the robbery rate in the Tenderloin District has dropped about 17%. He said when the program started it was down about 12%. He said the Department feels that it was a very dangerous assignment and he commends all of the officers involved, both the decoys and the backup



crews. He said it was a very concerted, cooperative effort between the Field Operations, Patrol Units and Tactical Units, and the Investigative Units, particularly Robbery. He said the Officers deserve a great deal of praise because it was a very dangerous assignment--the fact that the disguised officers would be followed by the suspects who then would actually assault them before the backup teams came on line to effect the arrest. He said he just wanted to again commend the officers. What the Department will now do is to bring it back in different forms with different officers, a decoy program in different areas, such as the south of Market or possibly the Mission District, but they will evaluate exactly what the best approach will be.

Commissioner Nelder said it is a very good program and very dangerous because Officer Gibbs lost his life doing exactly that, participating in the decoy program, but he said, it is an excellent program and has been very effective over the years.

Chief Jordan said the second program is the ABC Decoy Program where the Department is now four weeks into it. He said this is where the Department utilizes teenagers, sending them into various grocery and liquor stores around the City where they attempt to buy alcoholic beverages. He said up to this time they have made 789 attempts around the City, with 224 citations issued, which is about a 28.4% hit rate. He said it started out at about a 38% hit rate but the word is starting to get out because it is gradually starting to drop, although, he said, it is felt by ABC that 10 to 12% citation rate would be a significant amount of activity.

Commissioner Sanchez said that is really an excellent breakthrough in that area. He said the Department has almost doubled the degree of significance in combatting this problem, and again the Commission wants to congratulate the Department for undertaking such a top priority item that is often overlooked and placed on the back burner. And this, he said, is certainly something positive in dealing with a critical problem among our youth.

Commissioner Nelder said he has been following the case of Favalore, the fisherman who lost his life out in the ocean when he allegedly was struck by a big boat and his body washed up a few days later. He continued by saying that the press has done a very fine job of reporting that particular case, but the thing that he was wondering about and requested a report from the Chief as to what exactly is the disposition of that case, and who has jurisdiction. He said he knows that in past homicide cases of this nature, they have been handled by the Feds and some have been handled by the Department.

Chief Jordan advised him that he would certainly look into it.

#### STATUS REPORT ON THE OFFICE OF CITIZEN COMPLAINTS

Director Frank Schober of the Office of Citizen Complaints said he was happy to report that complaints made to his office has taken a 1/3 downturn in 1985 and continues to decline in 1986. He said the percentage of decline for the quarter





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which ended June 30th 1986 was 2.2% below the first quarter. If the first quarter record alone continues for the year, he said, the Department will have had a 25% further reduction this year, making it a 50% decline in a 2-year period. He said he contributes this decline to the Department at every level of the chain of command who has taken complaints seriously and is very concerned about officer behavior.

Commissioner Owens, after listening to his report, said she was concerned as to the need of having some liaison where the OCC would be communicating directly with citizens instead of just walking in and filling out forms sitting on the counter. She said she desired a follow-up in that regard in the form of a future report as to what is being developed to provide this service. She said she was thinking along the lines of having key satellite locations with information pertinent and factual about OCC shared with the communities whether it be in the Bayview, the Southeast Area, the Mission or Chinatown, a key place where people in the community could go and be informed. And that once there, there would be a person that would be directly responsible for that area disseminating necessary information and communicating directly with OCC.

Commissioner Davis, in commenting, said that his view of the OCC is a place where a citizen who has a complaint feel free to bring it against the Officer or Department without any fear of retribution. He said he felt that the OCC is moving in the direction of not only being the agency to investigate the complaints but an agency who is attempting to solve Department problems. For instance, he said, as mentioned by Director Schober in the form of proposed mediation of some complaints which is a solution to a controversy and also special training of officers. He said he also noted in regards to an ad in the OCC Paper, "The Professional", a statement that says "My job is to stamp out graffiti but I can't do it without help from you. Help me by calling one of these numbers." He said this gives the OCC's telephone number to call. He said based on this, he could see the OCC receiving a great number of calls that deal with public relations for the Police Department.

Chief Jordan, in clarifying this matter, said the statement will have to be modified as it could conceivably cause problems at the Communications Division.

Commissioner Davis said what he is getting at is that the OCC's task is to make policy recommendations to the Commission and it is the Commission's job to work with the administration when these recommendations are made. He said he was also concerned about the best use of resources when he sees where the OCC is asking for a Foundation grant that is concerned with improving police practices. He said he was not sure what that means but he would like for the Commission to get into some more of that at some point. He said he would still be concerned with the best use of resources because the OCC still has the job of investigating more thoroughly. He said while the number of complaints may be down, he said he would suspect that that would give Director Schober an opportunity to spend more time with the complaints that he does have to make sure they are properly investigated.



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Commissioner Nelder, after registering his concerns about another ad in "The Professional", said that in relation to the mediation program, he would suggest that Mr. Schober write up the few instances of what he has in mind and submit it to the Chief and to the Commission as he could see a very fine line of a problem there as to the OCC and the Department's province in the taking of a course of action.

Commissioner Sanchez said he felt the report was all inclusive in a number of areas and at this point it sort of gives the Commission an opportunity to read it over a little more thoroughly and definitely set up a point and time when the Commission can discuss the parameters of it pertaining to what the future operations will be regarding the OCC.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE THE LIMOUSINE PERMIT AND INTERURBAN BUS PERMITS HELD BY SAN FRANCISCO AIRPORTER, INC.

Lieutenant Frazier, in addressing the Commission on this matter, said that Mr. Steven Leonadakis of the San Francisco Airporter has asked that the Commission continue it. He said that since the Airporter had just received notice only yesterday that the matter was on the Commission Calendar, he would like to have it continued to August 28th. He also said that he was scheduled to meet with Lieutenant Gregory Winters of the Department's Permit Section on Wednesday, July 23rd to see if they can iron out whatever differences they may have concerning the permits.

Chief Jordan said he feels that the continuation date is appropriate because Mr. Leonadakis should be given due time and it is the Chief's understanding that he does want to meet with Lieutenant Winters to explain why he did not comply with the original subpoena issued by the Police Commission. The Department would like to give him that opportunity so that he may be prepared to present his case properly.

Commissioner Nelder said he would make a motion to continue it to August 28, 1986 at 5:30 p.m. It was seconded by Commissioner Owens and unanimously approved.

RESOLUTION NO. 767-86

WHEREAS, the date for the hearing on the recommendation of the Chief of Police to revoke the Limousine Permit and 26 inter-urban bus permits held by San Francisco Airporter, Inc. was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephan C. Leonoudakis, Attorney at Law, representing the San Francisco Airporter, Inc., that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. be set for August 28, 1986; therefore be it

RESOLVED, that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. is set for Thursday, August 28, 1986 at 5:30 p.m. in Room 551, Hall of Justice.





AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

REQUEST OF THE CHIEF TO ACCEPT \$1,000 DONATION FROM  
THE TAMARACK FOUNDATION

Captain Paul Kotta of the Juvenile Division said Ms Anne Hatch of the Tamarack Foundation generally donates to agencies dealing with children. He said the Juvenile Division needs some carpet and a few other improvements to make the area more neat appearing for these youngsters who come into the facility.

Commissioner Nelder said he would move approval, Commissioner Davis seconded, and it was unanimously approved.

RESOLUTION NO. 717-86

WHEREAS, the Board of Directors of the California Tamarack Foundation has expressed a desire to donate \$1,000 toward the repair and renovation of the interview and waiting rooms at the Juvenile Division of the San Francisco Police Department and

WHEREAS, this civic minded gesture will facilitate a more pleasant atmosphere for young children and their families while awaiting interviews at the Juvenile Division, and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department Head of those gifts to the City and County of San Francisco of a value of One Thousand Dollars (\$1,000.00) or less, and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts, now therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of One Thousand Dollars (\$1,000.00) from the California Tamarack Foundation to be used for the repair and renovation of the interview and waiting rooms at the Police Juvenile Division.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

REQUEST FOR HEARING ON THE APPEAL OF THE CHIEF'S  
SUSPENSION OF POLICE OFFICER MICHAEL JAMISON,  
SOUTHERN STATION

RESOLUTION NO. 718-86

WHEREAS, a letter was received from Paul C. Chignell, Member, Board of Directors, San Francisco Police Officers' Association, requesting an appeal hearing before the Police Commission on the suspension imposed on Police Officer Michael Jamison by the Chief of Police; therefore be it





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RESOLVED, that the setting of the date for the hearing on the appeal of Officer Michael Jamison, Southern Station, is scheduled for Thursday, July 24, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

SETTING OF DATE FOR HEARING OF POLICE OFFICER JESSE O. BEESON, COMMUNICATIONS DIVISION

RESOLUTION NO. 719-86

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jesse O. Beeson, Communications Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Jesse O. Beeson be set for September 4, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Jesse O. Beeson, Communications Division, is set for Thursday, September 4, 1986 at 5:30 p.m. in Room 55, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

HEARING OF SERGEANT DAVID C. DUGGER, PARK STATION

RESOLUTION NO. 721-86

WHEREAS, on June 6, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Sergeant David C. Dugger, Park Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, the Police Commission set Thursday, July 17, 1986, as the date for the hearing on charges filed against Sergeant David C. Dugger; and

WHEREAS, Chief of Police Frank M. Jordan announced that the Police Department was in receipt of the resignation of Police Sergeant David C. Dugger from the San Francisco Police Department, said resignation effective close of business July 17, 1986, which resignation was accepted with the condition that the services of Sergeant David C. Dugger have been unsatisfactory and that he does not resign in good standing; therefore be it



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RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Sergeant David C. Dugger, be, and the same are hereby continued off calendar.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

STATUS REPORT ON POLICE OFFICER GLENN SYLVESTER,  
MISSION STATION

The status report of Police Officer Glenn Sylvester, Mission Station, was called it having been set for this date; and

Police Officer Glenn Sylvester appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law; and

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department; and

On January 2, 1986, the Police Commission, in Resolution No. 17-86, issued the following penalty to Police Officer Glenn Sylvester:

Officer Glenn Sylvester shall be suspended for thirty (30) days, to be held in abeyance, provided he report to Dr. Norman Steiner, Police Physician, monthly for six months. He is to report to Dr. Steiner again prior to appearing before the Police Commission in six months on July 9, 1986. If he is not in compliance in any month during the six months period, the 30 day suspension will be imposed.

Dr. Steiner gave a report on the status of Officer Sylvester's weight reduction program.

After listening to testimony from the above, the Commission requested a recommendation from the Chief of Police Frank M. Jordan.

It is the recommendation of the Chief of Police Frank M. Jordan that the thirty (30) days suspension previously held in abeyance now be imposed on Officer Glenn Sylvester.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 722-86

DECISION - STATUS REPORT ON POLICE OFFICER GLENN SYLVESTER, MISSION STATION

WHEREAS, on September 3, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Glenn Sylvester as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department).





- (1) At all times herein mentioned, Officer Glenn Sylvester, (hereinafter "the accused") was and is a police officer, appointed after March 17, 1970, employed by the San Francisco Police Department, and currently assigned to the Golden Gate Division, Mission District;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Procedures and Orders of the San Francisco Police Department;
- (3) The accused is 5'11" tall and by Department standards set forth in General Order B-1 has a maximum allowable weight of 198 lbs., which maximum was permitted to be increased to 218 lbs., including a 10% allowance for sustaining a reclining blood pressure between 140mm systolic/90 diastolic;
- (4) On September 28, 1984, the accused failed to meet Department standards in this connection and was scheduled for a retest on October 19, 1984;
- (5) On October 29, 1984, the accused was weighed at 236 lbs., which exceeded his maximum allowable weight and he was accordingly admonished on October 30, 1984, and ordered to comply by November 30, 1984;
- (6) On December 20, 1984, the accused weighed 241 lbs., and was reprimanded by the Chief of Police and ordered to comply with Department weight standards by January 11, 1985;
- (7) On February 7, 1985, the accused was weighed at 250 lbs., which exceeded his maximum allowable weight;
- (8) On April 8, 1985, a Chief's disciplinary hearing was held for the accused. The accused stated to the Chief of Police that he could and would comply with General Order B-1 if given 100 days and was therefore ordered by the Chief of Police to comply with Department weight standards by August 1, 1985;
- (9) On August 1, 1985, the accused was weighed at 233 lbs., which exceeded his maximum allowable weight by thirty-five (35) pounds;
- (10) By failing to comply with Department weight standards, the accused violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department, which states in pertinent part:

"A. Weight Requirements

1. Male Officers

- a. Members must stay within the assigned weight standards below:

b.	HEIGHT	MIN. WT.	MAX. WT.
	5'11"	152	198.."



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and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, October 10, 1985, Thursday, January 2, 1986, and Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, THE Police Commission finds that the said charges made and filed against Police Officer Glenn Sylvester, Mission Station, as contained in Specification No. 1, violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department, are sustained by the evidence presented at the hearings; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Glenn Sylvester, Mission Station, be suspended for thirty (30) calendar days beginning Friday, August 1, 1986 at 0001 hours and ending on Saturday, August 30, 1986 at 2400 hours.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer Sylvester:

7:02 p.m. to 7:06 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

#### HEARING OF POLICE OFFICER RICHARD P. WALLETT, TRAFFIC DIVISION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Richard P. Wallett, Traffic Division, was called it having been set for this date. Police Officer Richard P. Wallett was charged with violating the Rules and Procedures as follows:

##### SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Richard P. Wallett appeared in person representing himself in his own Defense.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.





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Officer Richard P. Wallett gave mitigating circumstances accounting for his non-compliance with weight standards and pointed out various athletic undertakings he has successfully completed. He also pointed out the illustrious career he has had while in the Police Department earning various meritorious awards.

Dr. Norman Steiner, Police Physician, gave a medical report on the physical condition of Officer Richard P. Wallett and as to the possibilities of future development of medical problems adhering to his being overweight.

After listening to testimony from the above, the Commission requested a recommendation from the Chief of Police Frank M. Jordan.

It is the recommendation of the Chief of Police Frank M. Jordan that Officer Richard P. Wallett be suspended for 30 days, to be held in abeyance for one year, provided he report to the Police Gymnasium monthly. He shall lose four pounds per month for six months. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 723-86

DECISION - HEARING OF POLICE OFFICER RICHARD P. WALLETT, TRAFFIC DIVISION

WHEREAS, on April 10, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Richard P. Wallett as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General B-1 of the San Francisco Police Department).

- (1) At all times herein mentioned, Richard P. Wallett was and is a police officer, appointed after March 16, 1970, employed by the San Francisco Police Department, and currently assigned to the Traffic Division;
- (2) As a police officer, Officer Wallett (hereinafter the accused) was and is responsible for knowing and obeying the Rules, Procedures and Orders of the San Francisco Police Department;
- (3) The accused is 5'10" tall and by Department standards set forth in General Order B-1, his maximum permissible weight is 193 pounds;
- (4) On January 1, 1985, the accused appeared for his physical fitness requalification and weighed 264 pounds, exceeding his maximum permissible weight;





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- (5) On March 6, 1985, the accused was admonished by the Commanding Officer of Personnel and Training for failure to comply with Department weight standards and was ordered to comply by April 11, 1985;
  - (6) On May 9, 1985, the accused weighed 255 pounds, exceeding his maximum allowable weight. The accused was ordered to comply by May 30, 1985;
  - (7) On May 30, 1985, the accused weighed 245 pounds, which exceeded his maximum allowable weight;
  - (8) On June 30, 1985, a Chief's disciplinary hearing was held for the accused. The Chief of Police ordered the accused to comply with Department weight standards by December 26, 1985. On December 26, 1985, the accused weighed 230 pounds, which exceeded his maximum permissible weight of 193 pounds;
  - (9) By failing to comply with Department weight standards, the accused has violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department which states in pertinent part:
    - A. Weight Requirements: Members affected by this Order must maintain their weight within the prescribed range for their sex and height as outlined in paragraphs II.A.1.b and II.A.2.b of this Order. If a member's weight exceeds the maximum limits allowed, then provisions II.A.a, a and b of this Order will be operative in addition to the procedures outlined in paragraph III.D.

1. Male Officers

- a. Members must stay within the assigned weight standards listed below:

b.	Height	Min. Wt.	Max. Wt.
	5'10"	148	193

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Richard P. Wallett as contained in Specification No. 1, violation of Section II, Subsection A-1 of the General Order B-1 of the San Francisco Police Department, are sustained by the evidence presented at the hearing; therefore be it



RESOLVED, that it is the order of the Police Commission that Police Officer Richard P. Wallett, Traffic Division, be suspended for thirty (30) calendar days which shall be held in abeyance for one year, provided he lose four pounds per month and report to the Police Gymnasium for a monthly weighing. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

HEARING OF POLICE OFFICER MARK S. PORTO, CENTRAL  
DIVISION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Mark S. Porto, Central Station, was called it having been set for this date. Police Officer Mark S. Porto was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Mark S. Porto appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. John Prentice for the Defense.

Dr. Norman Steiner, Police Physician, gave a medical report on the physical condition of Officer Mark S. Porto and as to the possibilities of future development of medical problems adhering to his being overweight.

After listening to testimony from the above, the Commission requested a recommendation from the Chief of Police Frank M. Jordan.

It is the recommendation of the Chief of Police Frank M. Jordan that Officer Mark S. Porto be suspended for 30 days, to be held in abeyance for one year, provided he report to the Police Gymnasium monthly. He shall lose four pounds per month for six months. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.





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The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 724-86

DECISION - HEARING OF POLICE OFFICER MARK S. PORTO,  
CENTRAL STATION

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WHEREAS, on April 14, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Mark S. Porto as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General B-1 of the San Francisco Police Department).

- (a) At all times herein mentioned, Mark S. Porto was and is a police officer, appointed after March 16, 1970, employed by the San Francisco Police Department, and currently assigned to the Metropolitan Division - Central District;
- (b) As a police officer, Officer Porto (hereinafter the accused) was and is responsible for knowing and obeying the Rules, Procedures and Orders of the San Francisco Police Department;
- (c) The accused is 5'10" tall and by Department standards set forth in General Order B-1, his maximum permissible weight is 193 pounds;
- (d) On August 22, 1984, the accused appeared for his physical fitness requalification and weighed 261 pounds, exceeding his maximum permissible weight;
- (e) On September 12, 1984, the accused was admonished by the Commanding Officer of Personnel and Training for failure to comply with Department weight standards and was ordered to comply by October 24, 1984;
- (f) On October 29, 1984, the accused weighed 250 pounds, exceeding his maximum allowable weight. The accused was ordered to comply by December 5, 1984;
- (g) On December 5, 1984, the accused weighed 248 pounds, which exceeded his maximum allowable weight;
- (h) On December 19, 1984, a Chief's disciplinary hearing was held for the accused. The Chief of Police ordered the accused to comply with Department weight standards by May 1, 1985 and required regular scheduled weigh-ins for the accused;
- (i) On or about May 1, 1985, Captain Michael Brush, Commanding Officer, Personnel and Training Division, granted the accused's request for an extension of time to comply with the Chief's Order because the accused had shown a steady decrease in weight;



- (j) From May 1985 until October 1985, the accused showed a steady decrease in his weight, reaching a weight of 227 pounds. However, the accused did not report for his required weigh-ins during October and November of 1985. On December 6, 1985, the accused weighed 244 pounds, which exceeded his maximum permissible weight;
- (k) On January 31, 1986, the accused weighed 245 pounds, which exceeds his maximum permissible weight;
- (1) By failing to comply with Department weight standards, the accused has violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department which states in pertinent part:
  - A. Weight Requirements: Members affected by this Order must maintain their weight within the prescribed range for their sex and height as outlined in paragraphs II.A.1.b and II.A.2.b of this Order. If a member's weight exceeds the maximum limits allowed, then provisions II.A.a, a and b of this Order will be operative in addition to the procedures outlined in paragraph III.D.
- 1. Male Officers
  - a. Members must stay within the assigned weight standards listed below:

b.	Height	Min. Wt.	Max. Wt.
	5'10"	148	193

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Mark S. Porto as contained in Specification No. 1, violation of Section II, Subsection A-1 of the General Order B-1 of the San Francisco Police Department, are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Mark S. Porto, Central Station, be suspended for thirty (30) calendar days which shall be held in abeyance for one year, provided he lose four pounds per month and report to the Police Gymnasium for a monthly weighing. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





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HEARING OF POLICE OFFICER MARIO F. CEBALLOS, TARAVAL STATION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Mario F. Ceballos, Taraval Station, was called it having been set for this date. Police Officer Mario F. Ceballos was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Mario F. Ceballos appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. John Prentice for the Defense.

Dr. Norman Steiner, Police Physician, gave a medical report on the physical condition of Officer Mario F. Ceballos and as to the possibilities of future development of medical problems adhering to his being overweight.

After listening to testimony from the above, the Commission requested a recommendation from the Chief of Police Frank M. Jordan.

It is the recommendation of the Chief of Police Frank M. Jordan that Officer Mario F. Ceballos be suspended for 30 days, to be held in abeyance for one year, provided he report to the Police Gymnasium monthly. He shall lose four pounds per month for six months. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 725-86

DECISION - HEARING OF POLICE OFFICER MARIO F. CEBALLOS, TARAVAL STATION

WHEREAS, on April 14, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Mario F. Ceballos as follows:





SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General B-1 of the San Francisco Police Department).

- (a) At all times herein mentioned, Mario F. Ceballos was and is a police officer, appointed after March 16, 1970, employed by the San Francisco Police Department, and currently assigned to the Golden Gate Division - Taraval District;
- (b) As a police officer, Officer Ceballos (hereinafter the accused) was and is responsible for knowing and obeying the Rules, Procedures and Orders of the San Francisco Police Department;
- (c) The accused is 5'10-1/2" tall and by Department standards set forth in General Order B-1, his maximum permissible weight is 198 pounds;
- (d) On October 3, 1984, the accused appeared for his physical fitness requalification and weighed 293 pounds, exceeding his maximum permissible weight;
- (e) On October 24, 1984, the accused weighed 295 pounds and was admonished by the Commanding Officer of Personnel and Training for failure to comply with Department weight standards and was ordered to comply on or by December 5, 1984;
- (f) On December 7, 1984, the accused weighed 275 pounds, exceeding his maximum allowable weight. The accused was ordered to comply by January 16, 1985;
- (g) From about January 1985 until about June 1985, the accused was on disability leave. On August 1, 1985, the accused weighed 248 pounds, which exceeded his maximum allowable weight;
- (h) On September 10, 1985, a Chief's disciplinary hearing was held for the accused. The Chief of Police ordered the accused to comply with Department weight standards by August 15, 1986. The accused was also required to lose five (5) pounds per month and have regular scheduled weigh-ins;
- (i) From September 1985 until February 1986, the accused showed a steady decrease in his weight, reaching a weight of 252 pounds, which was three (3) pounds above his target weight of 249 pounds. On March 17, 1986, the accused weighed 254 pounds, which was ten (10) pounds over his target weight of 244 pounds and exceeded his maximum permissible weight as prescribed in General Order B-1 of the San Francisco Police Department;



(j) By failing to comply with Department weight standards, the accused has violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department which states in pertinent part:

A. Weight Requirements: Members affected by this Order must maintain their weight within the prescribed range for their sex and height as outlined in paragraphs II.A.1.b and II.A.2.b of this Order. If a member's weight exceeds the maximum limits allowed, then provisions II.A.a, a and b of this Order will be operative in addition to the procedures outlined in paragraph III.D.

1. Male Officers

a. Members must stay within the assigned weight standards listed below:

b. Height	Min. Wt.	Max. Wt.
5'11"	152	198

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Mario F. Ceballos, Taraval Station, as contained in Specification No. 1, violation of Section II, Subsection A-1 of the General Order B-1 of the San Francisco Police Department, are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Mario F. Ceballos, Taraval Station, be suspended for thirty (30) calendar days which shall be held in abeyance for one year, provided he lose four pounds per month and report to the Police Gymnasium for a monthly weighing. At the end of the six months period, a report as to his progress is to be submitted to the Chief of Police, with a copy to the Police Commission. If he is not in compliance at the end of one year, the 30 calendar days suspension held in abeyance will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

DECISION IN THE HEARING OF POLICE OFFICER AARON O. BARNES, CENTRAL STATION (CONTINUED FROM MEETING OF MAY 15, 1986)

The decision in the hearing of Police Officer Aaron O. Barnes, Communications Division, was called it having been continued from the meeting of May 15, 1986. Police Officer Aaron O. Barnes was charged with violating the Rules and Procedures as follows:





SPECIFICATION NO. 1

Failure to acquire and maintain a working knowledge of all information required for the proper performance of duty (violation of Rule A-7 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Aaron O. Barnes appeared in person and was represented by Mr. Byron F. Wong, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Chief of Police Frank M. Jordan read the previous recommendation made by him. It was the recommendation of the Chief of Police that for Specification No. 1, Officer Aaron Barnes be suspended for 15 days. For Specification No. 2, he is to be suspended for 60 days, 30 days to be imposed and 30 days to be held in abeyance for one year, provided he completes 100 hours serving the "Lighthouse for the Blind", or any visually handicapped agency, and be transferred from Company A.

Attorney Byron F. Wong presented arguments against the recommendation of the Chief of Police.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 720-86DECISION - HEARING OF POLICE OFFICER AARON O. BARNES, CENTRAL STATION

WHEREAS, on January 3, 1986, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Aaron O. Barnes as follows:

SPECIFICATION NO. 1

Failure to acquire and maintain a working knowledge of all information required for the proper performance of duty (violation of Rule A-7 of General Order D-1 of the San Francisco Police Department);

- (a) At all times herein mentioned, Aaron O. Barnes, Star No. 1204, was and is a police officer employed by the San Francisco Police Department. Officer Barnes is assigned to the Metropolitan Division - Central District;



- (b) As a police officer, Officer Barnes (hereinafter referred to as the accused) was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (c) The accused is also required pursuant to Rule A-7 of General Order D-1 to acquire and maintain a working knowledge of all information required for the proper performance of his duties.
- (d) On or about September 9, 1985 at approximately 1130 hours, a blind female citizen was walking with her seeing eye guide dog on Kearney Street near Bush Street. The seeing eye guide dog defecated in the street;
- (e) The accused approached the blind female citizen and told her she would have to clean up the seeing eye dog's feces because it violated the pooper scooper law. The accused then forced the female blind citizen to clean up her seeing eye guide dog's feces;
- (f) Section 40(c) of the San Francisco Municipal Code (Health Code) provides that visually handicapped persons who use seeing eye guide dogs are exempted from cleaning their dog's feces;
- (g) On or about October 7, 1985, the accused was interviewed by an investigator from the Office of Citizen Complaints regarding this matter. The accused stated during his interview that he was not aware of Section 40(c) of the San Francisco Municipal Code (Health Code);
- (h) The accused by not being aware of Section 40(c) of the San Francisco Municipal Code (Health Code) and forcing a female blind citizen to clean up the feces of her seeing eye guide dog has engaged in conduct which violates Rule A-7 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall acquire and maintain a working knowledge of all information required for the proper performance of their duties."

#### SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (a) The allegations contained in Specification No. 1 paragraphs (a) through (g) are hereby incorporated by reference as if fully set forth herein;





- (b) On or about September 19, 1985 at approximately 1130 hours, the accused observed a blind female citizen and her seeing eye guide dog on Kearny Street. The accused ordered the blind female to clean up the feces of her seeing eye guide dog. The blind female informed the accused that because she was blind she was exempted from the pooper scooper law;
- (c) The accused then went into a nearby restaurant and obtained a bag and napkins. The accused then grabbed the blind female citizen by her right arm, placed her into the street and forced her to pick up the feces of her seeing eye guide dog and place them into the bag. Although the blind female citizen had already used the napkins provided by the accused, the accused made the blind female citizen get the used napkins from the bag to continue to pick up the feces. The accused then made the blind female walk across the street without much assistance and place the bag into a garbage can;
- (d) The accused by his aggrievous conduct toward a female blind citizen in forcing her to clean up the feces of her seeing eye guide dog has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, May 1, 1986, Thursday, May 15, 1986, and Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-7 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Aaron O. Barnes are sustained; therefore be it





RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1 [penalty] 30 calendar days suspension, 15 calendar days to be imposed and 15 days to be held in abeyance for one year

Specification No. 2 [penalty] 45 days suspension, or he may elect to participate for 100 hours that must be completed within the one year period, in a community service agency approved by the Chief.

and be it further

RESOLVED, that said suspension of 15 calendar days for Specification No. 1 is to be imposed upon Officer Aaron Barnes return to duty from his medical leave as authorized by the Chief. The other 15 days will be held in abeyance for one year. If there is any infraction during that period of time, the 15 days suspension will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer Barnes:

8:18 p.m. to 8:49 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

STATUS REPORT ON POLICE OFFICER AARON O. BARNES,  
CENTRAL STATION

WHEREAS, on July 17, 1986, the Police Commission, in Resolution No. 720-86 issued the following penalty to Police Officer Aaron O. Barnes:

"Specification No. 1 [penalty] 30 calendar days suspension, 15 calendar days to be imposed and 15 days to be held in abeyance for one year

Specification No. 2 [penalty] 45 days suspension, or he may elect to participate for 100 hours, that must be completed within the one year period, in a community service agency approved by the Chief.

and be it further



"RESOLVED, that said suspension of 15 calendar days for Specification No. 1 is to be imposed upon Officer Aaron Barnes return to duty from his medical leave as authorized by the Chief. The other 15 days will be held in abeyance for one year. If there is any infraction during that period of time, the 15 days suspension will be imposed."

WHEREAS, it was brought to the attention of the Police Commission that Officer Aaron Barnes has returned to duty from his medical leave; therefore be it

RESOLVED, that the Commission orders that Officer Aaron Barnes, Central Station, be suspended for fifteen (15) calendar days to commence Sunday, August 3, 1986 at 0001 hours and ending on Sunday, August 17, 1986 at 2400 hours.

HEARING OF POLICE LIEUTENANT FERNANDO F. GAMEZ,  
CRIMINAL INFORMATION DIVISION/IDENTIFICATION  
SECTION

The hearing of Police Lieutenant Fernando F. Gamez, Criminal Information Division/Identification Section, was called it having been set for this date. Lieutenant Fernando F. Gamez was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Lieutenant Fernando F. Gamez appeared in person and was represented by Mr. Joseph O'Sullivan, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins for the Prosecution.

An opening statement was made by Attorney Joseph O'Sullivan for the Defense. Attorney O'Sullivan entered a plea of guilty to Specification No. 1 and Specification No. 2 on behalf of Lieutenant Fernando F. Gamez.

Commissioner Nelder made a motion to accept the plea of Lieutenant Gamez and was seconded by Commissioner Owens and unanimously approved by the Commission.





RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1 [penalty] 30 calendar days suspension, 15 calendar days to be imposed and 15 days to be held in abeyance for one year

Specification No. 2 [penalty] 45 days suspension, or he may elect to participate for 100 hours that must be completed within the one year period, in a community service agency approved by the Chief.

and be it further

RESOLVED, that said suspension of 15 calendar days for Specification No. 1 is to be imposed upon Officer Aaron Barnes return to duty from his medical leave as authorized by the Chief. The other 15 days will be held in abeyance for one year. If there is any infraction during that period of time, the 15 days suspension will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer Barnes:

8:18 p.m. to 8:49 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

STATUS REPORT ON POLICE OFFICER AARON O. BARNES,  
CENTRAL STATION

WHEREAS, on July 17, 1986, the Police Commission, in Resolution No. 720-86 issued the following penalty to Police Officer Aaron O. Barnes:

"Specification No. 1 [penalty] 30 calendar days suspension, 15 calendar days to be imposed and 15 days to be held in abeyance for one year

Specification No. 2 [penalty] 45 days suspension, or he may elect to participate for 100 hours, that must be completed within the one year period, in a community service agency approved by the Chief.

and be it further



30

"RESOLVED, that said suspension of 15 calendar days for Specification No. 1 is to be imposed upon Officer Aaron Barnes return to duty from his medical leave as authorized by the Chief. The other 15 days will be held in abeyance for one year. If there is any infraction during that period of time, the 15 days suspension will be imposed."

WHEREAS, it was brought to the attention of the Police Commission that Officer Aaron Barnes has returned to duty from his medical leave; therefore be it

RESOLVED, that the Commission orders that Officer Aaron Barnes, Central Station, be suspended for fifteen (15) calendar days to commence Sunday, August 3, 1986 at 0001 hours and ending on Sunday, August 17, 1986 at 2400 hours.

HEARING OF POLICE LIEUTENANT FERNANDO F. GAMEZ,  
CRIMINAL INFORMATION DIVISION/IDENTIFICATION  
SECTION

The hearing of Police Lieutenant Fernando F. Gamez, Criminal Information Division/Identification Section, was called it having been set for this date. Lieutenant Fernando F. Gamez was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Lieutenant Fernando F. Gamez appeared in person and was represented by Mr. Joseph O'Sullivan, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins for the Prosecution.

An opening statement was made by Attorney Joseph O'Sullivan for the Defense. Attorney O'Sullivan entered a plea of guilty to Specification No. 1 and Specification No. 2 on behalf of Lieutenant Fernando F. Gamez.

Commissioner Nelder made a motion to accept the plea of Lieutenant Gamez and was seconded by Commissioner Owens and unanimously approved by the Commission.





The following named witness appeared for the Defense, was sworn and testified:

Lieutenant Fernando Gamez, Criminal Information Division, Identification Section

The following exhibit was entered into evidence by the Prosecution:

Exhibit #1 Incident Report No. 860395249, 4/2/86

Closing statement was made by Attorney O'Sullivan for the Defense.

Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Lieutenant Fernando Gamez be suspended 45 days for Specification No. 1 and 45 days for Specification No. 2, to be served consecutively.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 726-86

DECISION - HEARING OF POLICE LIEUTENANT FERNANDO F. GAMEZ, CRIMINAL INFORMATION DIVISION/IDENTIFICATION SECTION

WHEREAS, on May 16, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Lieutenant Fernando F. Gamez as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

- (a) At all times mentioned herein, Fernando F. Gamez, Star No. 1410, was and is a police lieutenant employed by the San Francisco Police Department and assigned to the Criminal Information Division - Identification Section;
- (b) As a police officer, Lieutenant Gamez (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On or about April 2, 1986, at approximately 2350 hours in San Francisco, California, the accused while off duty, approached a female San Francisco police officer, who was working an undercover decoy operation to abate prostitution, and solicited her for an act of prostitution;
- (d) Solicitation of an act of prostitution is a crime as defined in California Penal Code Section 647(b);
- (e) On April 11, 1986 at approximately 1300 hours, the accused was cited for soliciting an act of prostitution;





- (f) By soliciting an act of prostitution, the accused failed to prevent crime which constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off-duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (a) Each and every allegation contained in paragraphs (a) through (f) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) By failing to prevent crime and by subsequently being cited for soliciting an act of prostitution, the accused has engaged in conduct which tends to subvert the good order, efficiency, or discipline of the Department and which reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, July 17, 1986, and on Thursday, July 17, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-2 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Lieutenant Fernando F. Gamez are sustained; therefore be it



RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1 [penalty] Termination to be held in abeyance for two years, providing no violation occurs during that period

Specification No. 2 [penalty] 90 calendar days suspension

and be it further

RESOLVED, that said suspension totaling ninety (90) calendar days is to be imposed commencing Friday, July 18, 1986 at 0001 hours and ending Wednesday, October 15, 1986 at 2400 hours. If any violation occurs during the two year period, the termination held in abeyance will be imposed.


AYES: Commissioners, Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Lieutenant Gamez:

9:10 p.m. to 9:35 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting was thereafter adjourned.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





86  
JULY 22, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Tuesday, July 22, 1986, at 1730 hours in a Special Meeting.

PRESENT: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Giraudo, Davis

DOCUMENTS DEPT. F.

SEP 18 1986

Commission Sanchez presiding.

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HEARING OF POLICE OFFICER RICHARD WOO, COMMUNICATIONS  
DIVISION (CONTINUED FROM MEETING OF MAY 29, 1986)

The hearing of Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of May 29, 1986.

Police Officer Richard Woo appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following exhibit was entered into evidence by the Defense:

Exhibit DD SFPD Training Bulletin #83-17,  
Searching

The following named witness appeared for the Prosecution, having been previously sworn, resumed the stand:

Police Officer Robert M. Swall, Company A

The following exhibit was entered into evidence by the Prosecution:

Exhibit #5 Incident Report #850650188, 06/17/85,  
0930 hours

After listening to testimony from the above parties, the matter was continued to Thursday, September 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

Recesses taken during the hearing of Officer Richard Woo:

6:15 p.m. to 6:25 p.m.  
7:35 p.m. to 7:38 p.m.

( The entire proceedings were taken in  
shorthand form by Ms Linda Pransky, CSR.)

THE MEETING WAS ADJOURNED.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



JULY 24, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, July 24, 1986, at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Davis, Giraudo, Owens  
ABSENT: Commissioner Nelder

Commissioner Sanchez presiding. DOCUMENTS DEPT.

1. Attorney-Client Conference

SEP 18 1986

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JULY 24, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, July 24, 1986, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Davis, Giraudo, Owens  
ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF MAY 29, 1986

Approval of Minutes of the Meeting of May 29, 1986, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 772-86

OTIS WINNFIELD vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Otis Winnfield in the sum of \$4,000.00 in Municipal Court No. 864-974 entitle "Otis Winnfield vs. City and County of San Francisco, Cornelius Murphy, Jerry Lankford and Michael Williams" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 18, 1982

AYES: Commissioners Davis, Giraudo, Owens,  
Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 773-86

KRISTINE KONNERTH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kristine Konnerth in the sum of \$470.97 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 21, 1986





AYES: Commissioners Davis, Giraudo, Owens,  
Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 774-86

ROYAL INSURANCE CO. (GUY CHERNEY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Royal Insurance Co. (Ins.: Guy Cherney) as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 6, 1986

AYES: Commissioners Davis, Giraudo, Owens,  
Sanchez  
ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

Commissioner Sanchez said he would like to make one statement and that is to congratulate the Department on the outstanding job it did in a very tough situation pertaining to the Marathon that took place in this City last Sunday. He said many things had been said about it, both, positive and negative, and he hoped that the Department has some specific recommendations on how it may be able to improve the situation in certain areas. He said also, as required to be announced, the Commission met in Closed Session this date in an Attorney Client Conference pertaining to litigation under the Brown Act and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief of Police Frank Jordan said that his report was in response to Commissioner Alfred Nelder's question regarding the Jack Jr. He said The Commissioner asked about the San Francisco Police Department's (SFPD) jurisdictional authority dealing with the Jack Jr. the fishing boat that was struck out at sea. He said it turns out that this occurred beyond territorial waters and off the coast of Marin County. Anything dealing with shipping accidents, he said, especially that far out to sea, the Coast Guard does the investigation. He said they are in the process of holding hearings on this matter at the present time. He said if they find evidence of criminal negligence then the Federal Bureau of Investigation (FBI) comes in to the picture also and it has been learned that the FBI is involved and conducting an investigation as well. He said it is Federal Jurisdiction but the SFPD could provide backup support if requested to do so.

RESOLUTION NO. 768-86

SETTING OF DATE FOR HEARING OF THE APPEAL OF THE  
CHIEF'S SUSPENSION OF OFFICER MICHAEL JAMISON,  
SOUTHERN STATION





WHEREAS, the setting of the date for hearing of the appeal of the Chief's suspension of Police Officer Michael Jamison, Southern Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Paul Chignell, Member, Board of Directors, Police Officers' Association, representing Officer Michael Jamison, that a date for the hearing before the Police Commission be scheduled for September 25, 1986, and subsequently submitted written documentation waiving 30-day requirement for Commission hearing; therefore be it

RESOLVED, that the date for the hearing of the appeal of the Chief's suspension of Officer Michael Jamison, Southern Station, is set for Thursday, September 25, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens  
Sanchez

ABSENT: Commissioner Nelder

#### RESOLUTION NO. 769-86

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT ADOPTED BY RESOLUTION NO. 358-70 BE REPLACED BY THE CURRENT DEPARTMENT GENERAL ORDERS AND TRAINING BULLETINS

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BE IT RESOLVED that the Rules and Procedures of the San Francisco Police Department adopted by Resolution 358-70 to be effective November 2, 1970, be rescinded and replaced by the current Department General Orders and Training Bulletins now being issued.

#### RESOLUTION NO. 770-86

HEARING OF POLICE OFFICER RICHARD WOO, COMMUNICATIONS DIVISION (CONTINUED FROM MEETING OF JULY 22, 1986)

WHEREAS, the date set for the hearing of disciplinary charges filed against Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of July 22, 1986; and

WHEREAS, it was requested by the Police Commission that the date for the hearing before the Police Commission be continued to September 18, 1986; therefore be it

RESOLVED, that the hearing of disciplinary charges filed against Police Officer Richard Woo, Communications Division, is set for Thursday, September 18, 1986 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens,  
Sanchez

ABSENT: Commissioner Nelder



RESOLUTION NO. 771-86

RECONSIDERATION OF POLICE COMMISSION PENALTY AGAINST  
POLICE OFFICER GLENN SYLVESTER, MISSION STATION

Police Officer Sylvester appeared on his own behalf and presented testimony as to why he was appealing the Commission's sentence of last Thursday, as rendered at that time. The Commission after listening to Officer Sylvester denied his request to reconsider its penalty and let the sentence stand as rendered against him.


WHEREAS, Police Officer Glenn Sylvester, Mission Station, requested reconsideration of the penalty imposed on him by the Police Commission on July 17, 1986, and

WHEREAS, the Police Commission listened to Officer Glenn Sylvester's reasons as to why he should be given reconsideration of the Police Commission's penalty imposed against him and thereafter denied his request; therefore be it

RESOLVED that Police Officer Glenn Sylvester's request for reconsideration of the Police Commission penalty imposed against him be, and the same is hereby denied.

AYES: Commisioners Davis, Giraudo, Owens,  
Sanchez  
ABSENT: Commissioner Nelder

The meeting, thereafter, was adjourned.

  
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LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





AUGUST 7, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 7, 1986 at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Davis,  
Giraud, Owens

Commissioner Sanchez presiding.

1. Attorney-Client Conference

AUGUST 7, 1986

REGULAR MEETING

The Police Commission of the City & County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 7, 1986 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Davis,  
Giraud, Owens

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JUNE 12, 1986

Approval of Minutes of the Meeting of June 12, 1986, the Commissioners having received, approved, and returned copies of same.

DOCUMENTS DEPT.

OCT 2 1986

APPROVAL OF CONSENT CALENDAR

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Recommendation of the City Attorney for settlement of the following claim against the City & County of San Francisco:

RESOLUTION NO. 784-86

CHARLES I. RYDBERG vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Charles I. Rydberg in the sum of \$17,500.00 in Superior Court No. 828-739 entitled Charles I. Rydberg vs. City and County of San Francisco, et al as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 10, 1984

AYES: Commissioners Davis, Giraud, Nelder,  
Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met this afternoon in Closed Session under the Brown Act in an Attorney Client Conference and no vote was taken. Commissioner Nelder, at this time, inquired about the P.D.'s alleged over charging of Defendants in criminal cases and asked for an explanation from Deputy Chief John Jordan, Acting Chief of Police.



In response, Deputy Chief Jordan said, there are two separate standards that apply when speaking about arrest and charging. He said there are three levels of review in any police arrest. He said first, there is the initial review by the Sergeant on the Street, and secondly, the follow-up review by the Platoon Commander in the Station, and thirdly, the report review process in the Record Room to determine if all of the elements of the case are there, and then a fourth review at the District Attorney's Office applying a new and different method which is beyond a reasonable doubt standard for successful prosecution. He said the experience is that the Department is not overcharging and that as a matter of fact the Department has quality charging and in the words of the District Attorney himself the quality of the SFPD's cases are excellent.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Jordan said he had no report for the Commission tonight.

#### RECOMMENDATION OF THE CHIEF THAT THE POLICE COMMISSION REVOKE TAXICAB PERMIT HELD BY WILLIAM LUM (CONTINUED FROM MEETING OF JULY 10, 1986)

An addendum to this item was brought about from a question by Commissioner Louis Giraudo in that procedurally shouldn't the attorney for Mr. Lum have been present at tonight's meeting to ask for this continuance. He said what would happen if the Commission denied it? He said he was just saying that the process doesn't work. He said because they are not here we are forced to give the continuance and that is basically what it comes down to and he would just suggest that in the future when they want a continuance they should make an appearance and explain why they want a continuance. He said the Commission gave Ms. Brenner, Attorney for Mr. Lum, ex-number of weeks before and the Commission heard the matter once prior to that but he was just saying from a due process point of view that the Commission has no choice but to grant it because it cannot be denied and the Commission cannot rule against Mr. Lum's permit this evening and take his property or his livelihood away from him without any kind of a due process hearing.

Commissioner Nelder said he felt that that was factual and that was the policy at one time that the Commission did insist to be followed, that the persons that are concerned should appear and make a personal request for a continuance. He then said to Commissioner Giraudo that he should put that in the form of a motion and that if adopted, it then will be the policy of the Commission that those who seek a continuance on something that is valuable to them such as a permit they should be here. But there is nothing precluding the Commission from acting in absentia tonight and if it did so they (Mr. Lum and his attorney) would feel it was terribly unfair so if Commissioner Giraudo puts it in the form of a motion he would certainly second it.





Commissioner Giraudo said he would make the motion so that it can become a rule or regulation of the Police Commission that in the future when an attorney seeks a continuance for matters of convenience or for further legal investigation or whatever their reason that they appear before the Commission and plead their case for such a continuance. Commissioner Nelder said he would second that motion and he then addressed Lt. Frazier and said that basically what this means is that such parties shall be so informed if and when they make a request for a continuance.

RESOLUTION NO. 785-86

WHEREAS, the date for the hearing on the recommendation of the Chief of Police to revoke the taxicab permit held by William Lum was called it having been continued from the meeting of July 10, 1986; and

WHEREAS, it was requested by Ms. Barbara Brenner, Attorney at Law, representing William Lum, that the date for the hearing on the revocation of taxicab permit held by Mr. William Lum be set for August 14, 1986; and

WHEREAS, the Police Commission, at the request of a Department witness who will be on vacation until the 21st requested that the matter be continued until that time; therefore be it

RESOLVED, that the date for the hearing on the revocation of Taxicab Permit-Medallion No. 434 held by William Lum be set for Thursday, August 21, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION DISCUSSION REGARDING PROPOSED ORDINANCE AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 53 THERETO, PROVIDING FOR REPRESENTATION AT HEARINGS OF THE OFFICE OF CITIZEN COMPLAINTS

Commissioner Sanchez said that at this point there was a request pertaining to a revision or a review of the ordinance by the City Attorney's Office and due to the unfortunate death of the City Attorney, the Commission will hold this matter in abeyance until the 28th of this month.

Commissioner Giraudo said that he had had discussions with the late City Attorney in respect to the language that was submitted to the Commission in the Ordinance and written on behalf of the Supervisors who wanted to introduce it. He said it (The Ordinance) was not completely in line with what he had understood it should be able to do with respect to sanctions for attorneys who violated the so called pledge or affidavit or whatever it was they were being asked to sign. He said so his intent would be to talk to the Acting City Attorney Mr. Ward and see whether in fact his understanding is correct and if it was correct whether they could not come back to the Commission with a more comprehensive ordinance that treated both sides equally and fairly but put some bite into the aspect rather than just leaving it to an ethic but putting some bite into it and providing for sanctions and penalties.





Commissioner Owens said she would make the motion to continue it to August 28th. It was seconded by Commissioner Nelder and unanimously approved.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS TO APPROVE A CHANGE TO SECTION 32.6.5 OF THE TRAFFIC CODE, "PARKING CONTROL, PAVED AREAS AND STRUCTURES ON THE CITY OPERATED PROPERTY COMMONLY REFERRED TO AS 970 BRYANT STREET AND UTILIZED FOR PARKING BY THE HALL OF JUSTICE FACILITY

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Deputy Chief Will Casey advised the Commission that about a month ago the Commission had adopted a resolution allowing the Department to move its parking lots. He said this resolution would now allow the Department to cite people who are unauthorized to park in the new parking lot. Commissioner Giraudo moved for approval, it was seconded by Commissioner Davis and unanimously approved.

RESOLUTION NO. 782-86

WHEREAS, the City and County of San Francisco has recently acquired the use of parking lot at 970 Bryant Street for additional parking, and

WHEREAS, the current ordinance which regulates parking at 455 Sixth Street (32.6.5 T.C.) must be amended to reflect a change in location of the supplemental parking facility at the Hall of Justice; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached proposed ordinance to reflect the aforementioned change in parking facilities for the Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER P-14, "PERFORMANCE IMPROVEMENT PROGRAM"

Deputy Chief Casey also addressed this item and informed the Commissioners that this matter was in regard to the Department's PIP Program which has been in existence since May of 1985 as a Field Operations Order. He said what an approval of this order would now do is to make the PIP Program Order Department wide. He said there is no changes to the program it merely makes it official in that it has been relatively unofficial for the last year or so and now it will be an official part of the Police Department. Commissioner Nelder said he would move approval, it was seconded by Commissioner Giraudo and unanimously approved.

RESOLUTION NO. 783-86

DEPARTMENT GENERAL ORDER P-14, PERFORMANCE IMPROVEMENT PROGRAM

RESOLVED, that the Police Commission hereby adopts Department General Order P-14, Performance Improvement Program.



AYES: Commissioners Davis, Giraudo, Nelder,  
Owens, Sanchez

REQUEST OF THE CHIEF OF POLICE FOR IMMEDIATE FILLING  
OF POSITIONS VACATED BY RETIREMENT

Deputy Chief Casey informed the Commissioners that the current Lieutenants List expires on 9/16/86. He said the Department currently has 6 lieutenants who are now working a like work/like pay or temporary assignment and will continue to do so until they are appointed to a permanent position. He said the problem is that the list expires and after September 16th they will continue to be lieutenants until there is a new lieutenant's list and these same people might not be on it. So, he said, in effect they will lose their jobs because of a bookkeeping process. He said so this resolution will allow immediate fillings of vacancies to take place.

Commissioner Nelder, having received an acknowledgement to his question of funding, said he would make the motion for approval. Commissioner Giraudo seconded and it was unanimously approved.

RESOLUTION NO. 780-86

WHEREAS, two members of the San Francisco Police Department have retired from the rank of Q-60 Lieutenant of Police, and three members have retired from the rank of Q-80 Captain of Police, and

WHEREAS, by September 15, 1986, one member of the San Francisco Police Department will retire from the rank of Q-80 Captain of Police, and

WHEREAS, these retirements leave a severe gap in the management of the San Francisco Police Department, and

WHEREAS, to fill these positions before the accumulated sick leave and vacation time are paid requires a resolution of the Board of Supervisors, and

WHEREAS, this procedure is authorized by the Annual Appropriations Ordinance, Section 10, Subsection 1, and

WHEREAS, there are sufficient funds appropriated to cover the cost of this procedure; therefore be it

RESOLVED, that the Police Commission does hereby request that the Mayor and the General Manager, Personnel of Civil Service recommend to the Board of Supervisors the adoption of the attached six resolutions, and, furthermore, be it

RESOLVED, that the Police Commission requests that the Board of Supervisors adopt the attached six resolutions authorizing the immediate filling of two vacancies in the rank of Q-60 Lieutenant of Police and four vacancies in the rank of Q-80 Captain of Police.

AYES: Commissioners Davis, Giraudo, Nelder,  
Owens, Sanchez





REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF A  
SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF  
\$2,456,164 FOR RENOVATION OF THE NEW NORTHERN STATION

Lt. Tom Suttmeir, of the Planning and Research Division addressed this matter for the Commission and presented graphs and charts of the proposed new station.

After listening to the Lieutenant's presentation, Commissioner Sanchez said the Commission is very pleased with that design. He said there has been a lot of discussion over the years about facilities being a very important part of the job. He said the fact that we do have basically a community facility here which also will be utilized within the context of a police station in its traditional concept and also utilized as a handicapped facility are certainly a step forward as far as the state of the art.

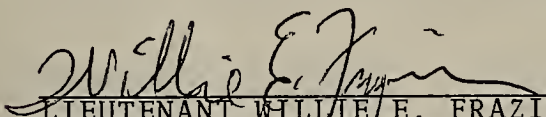
Commissioner Giraudo said he would move for adoption, Commissioner Davis seconded and it was unanimously approved.

RESOLUTION NO. 781-86

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation in the amount of \$2,456,164. The requested funds will be used to renovate 1125 Fillmore, Block 755, Lot 13, for use as Northern Police Station.

AYES: Commissioners Davis, Giraudo, Nelder,  
Owens, Sanchez

Commissioner Sanchez said the Commission will now observe a moment of silence in honor of the late City Attorney, Mr. George Agnost. They, and thereafter, adjourned at 5:55 p.m. in his memory.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



2739

5 Minutes

AUGUST 14, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 14, 1986, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Owens

ABSENT: Commissioners Davis, Giraudo

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

OCT 7 1986

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APPROVAL OF MINUTES OF MEETING OF JUNE 19, 1986

Approval of Minutes of the Meeting of June 19, 1986, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City & County of San Francisco:

RESOLUTION NO. 790-86

LUMIN PULM

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Lumin Pulm \$2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 31, 1984

AYES: Commissioners Owens, Nelder, Sanchez

ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 791-86

JOHN R. KELSCH

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of John Kelsch in the sum of \$2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 31, 1984

AYES: Commissioners Owens, Nelder, Sanchez

ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 792-86

CALIFORNIA STATE AUTOMOBILE ASSOCIATION (M. HINES)

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of California State Automobile Association (M. Hines) in the sum of \$1,416.88 as the result of damages sustained, be, and the same is hereby approved.



Date of Incident: October 25, 1985

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 793-86

FARMERS' INSURANCE GROUP

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Farmers' Insurance Group (Lonnie Green) in the sum of \$1,103.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 3, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 794-86

CALIFORNIA STATE AUTOMOBILE ASSOCIATION (HENRY C. JASON, JR.)

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of California State Automobile Association (Henry C. Jason, Jr.), in the sum of \$1,063.28, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 10, 1984

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 795-86

BRUCH CARRUTHERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Carruthers in the sum of \$530.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 10, 1986

AYES: Commissioners Owes, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 796-86

MONIQUE PETOTGUY/MICHAEL PETOTGUY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Monique Petotguy/Michael Petotguy in the sum of \$294.49 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 27, 1985

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo





RESOLUTION NO. 797-86

HAROLD J. MARSH

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Harold J. Marsh in the sum of \$275.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 27, 1985

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 798-86

RONALD S. GRAYBEAL

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Ronald S. Graybeal in the sum of \$253.80 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 799-86

RUTH PADILLA

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Ruth Padilla in the sum of \$112.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 18, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 800-86

STEVEN McCALL

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Steven McCall in the sum of \$106.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 30, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 801-86

GEORGE ELLIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Ellis in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: May 20, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 802-86

GARY D. McVEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary D. McVey \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 803-86

KEIICHI KAWAMURA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keiichi Kawamura in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 804-86

ABC TOWING (DEBORAH CRAIG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Deborah Craig) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 805-86

ABC TOWING (REUBEN McFARLAND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Reuben McFarland) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo





RESOLUTION NO. 806-86

ABC TOWING (LINDA HARRIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Linda Harris) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 3, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 807-86

ABC TOWING (ANTHONY RUIZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Anthony Ruiz) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 808-86

ABC TOWING (IRMA MERCARO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Irma Mercaro) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 8, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioner Davis, Giraudo

RESOLUTION NO. 809-86

MARY DUNNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Dunne in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 30, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 810-86

ERICH E. WERNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Erich Werner) in the sum of \$80.85 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 8, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo



RESOLUTION NO. 811-86

ABC TOWING (YARBY RICHARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Yarby Richard) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 22, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 812-86

ABC TOWING (JOHN THREAT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (John Threat) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 813-86

LESLIE K. ELLEDGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie Elledge the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 5, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 814-86

JOHN M. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Johnson in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 3, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 815-86

JAMES H. SCANLON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Scanlon in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo



RESOLUTION NO. 816-86

LAURENCE J. HYMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurence Hyman in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 817-86

ALEX ROBINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alex Robinson in the sum of \$60.15 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 26, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 818-86

DANIEL ESPINOZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Espinoza in the sum of \$53.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 819-86

LINDA HALLFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Hallford in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 20, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 820-86

MICHAEL A. POOLER

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Harold J. Marsh in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1985

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo





RESOLUTION NO. 821-86

LAINA M. DICKER

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Laina M. Dicker in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 2, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 822-86

SYLVIA PERRY

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Sylvia Perry in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 823-86

KAREN JOYCE

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Karen Joyce in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 824-86

LINDA HIRST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Hirst in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 825-86

HERBERT L. LYONS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herbert Lyons in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: May 18, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioner Davis, Giraudo

RESOLUTION NO. 826-86

ELENA D. DEVANCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elena Devance in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioner Davis, Giraudo

RESOLUTION NO. 827-86

PAUL CARR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Carr in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1986

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioner Davis, Giraudo

POLICE COMMISSION REPORT

No Report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Acting Chief Jack Jordan: Said he wanted to comment on an article that appeared in the Examiner this afternoon regarding the issue of morale in the Police Department as alluded to in a Grand Jury Report. At this particular time, he said, the Department hasn't had an opportunity to study the report. He said they had just received it shortly before the Commission Meeting. He said the information included in the article generally tends to show that the Officers are unhappy with the Consent Decree and its effects on promotions and hiring. He said this is common knowledge and a concerted effort on the part of the Department, the Police Officers Association, the Officers for Justice and the Department of Justice undertaken to bring the Consent Decree to a successful conclusion at its termination date in 1989. He said this Police Commission and this Department has consciously followed the dictates of the Federal Consent Decree which governs most of the issues covered in the Report. He continued by saying that further detailed comment will be made tomorrow when the Department Staff has had an opportunity to review the report.





Commissioner Sanchez followed by saying that the Police Commission, had also received copies late this afternoon along with the Department and also needs an opportunity to review the report and thereafter possibly schedule some discussion along those lines at the next Police Commission Meeting. He then followed with; "The Police Commission met in closed session this afternoon under the Brown Act and no vote was taken."

#### RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Sanchez said that Commissioner Owen Davis who is not present tonight Chaired this Awards meeting held on August 8, 1986. Commissioner Nelder said he would make a motion that the recommendations as submitted be approved. It was seconded by Commissioner Owens and unanimously approved. The Commissioners also set a date of October 15, 1986 for presentation of the Awards upon motion by Commissioner Nelder. This Motion was also unanimously approved.

#### RESOLUTION NO. 788-86

WHEREAS, the following named members of the Police Department have been commended for courageous service under the Provisions of General Order 0-5, Sections 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, August 8, 1986; and

WHEREAS, Chief of Police Frank M. Jordan, has recommended to The Police Commission that the said members be rewarded under the Provisions of Section 8.405 (a) (4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Sergeant Donald Blaine; Police Sergeant Jean B. Donaldson; Police Sergeant Robert Hankins; Police Sergeant Donald I. Hensic; Police Sergeant Henry Smith; Police Inspector Jeffrey Brosch; Police Inspector Edward Erdelatz; Police Officer James A. Adams; Police Officer Daniel Baker; Police Officer Jeffrey Ballard; Police Officer Victor S. Block; Police Officer Charles Bonnici; Police Officer William D. Canning; Police Officer Melvin P. Cardenas\*\*; Police Officer George Cuevas; Police Officer William Garcia; Police Officer John J. Garrity; Police Officer James Gervasi; Police Officer Jordon K. Hom; Police Officer Mark E. Laherty; Police Officer William D. Langlois; Police Officer Daniel J. May\*; Police Officer Joseph Nannery; Police Officer Eric Olsen; Police Officer Kevin E. Phipps; Police Officer Reno Rapagnani; Police Officer Ricci Rodriguez; Police Officer David M. Seid; Police George S. Stasko\*\*; Police Officer Peter Thoshinsky; Police Officer Donald W. Woolard; Housing Police Officer Mark DesAngles\*; Housing Police Officer Jamie Ongpin\*; be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$150.00 EACH, as provided for under said Section of the Charter; and be it further



RESOLVED; that Police Inspector Stephen Gudelj; Police Inspector Marion Jackson; Police Inspector Gary Jiminez; Police Inspector Robert L. Peterson; Police Officer John S. Colla; Police Officer Ray Kilroy; Police Officer Alan McPheters; Police Officer Henry Parra; Police Officer Mark Porto; Police Officer Richard VanWinkle; be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of \$150.00 EACH as provided for under said Section of Charter.

(\* Two (2) Bronze Medals Awarded)  
(\*\* Three (3) Bronze Medals Awarded)

AYES: Commissioners Owens, Nelder, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION TO AMEND SECTIONS 2.26 AND 2.27 OF THE SAN FRANCISCO MUNICIPAL POLICE CODE (FEES AND LICENSES) AND FORWARD TO THE BOARD OF SUPERVISORS FOR THEIR CONSIDERATION.

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Lt. Gregory Winters addressed the Commission on this item and said the report and proposed amendments to the Police Code were developed by Officer Barbara Campanoli who acted as the Permit Section's rate Engineer. He said they are based on salary increases for all Departments involved in permit inspections and annual licenses. After further inquiries directed to Officer Campanoli and her giving an excellent response, the Commission and Chief congratulated her on her efforts. The Chief also commended Lt. Gregory Winters for his efforts and progress made in the Permit Section since taking over the leadership there. The Commission thereafter adopted the following resolution approving the New Fee Schedule.

RESOLUTION NO. 786-86

WHEREAS, the Police Department is the authority under Section 2.26 of the Municipal Police Code for the collection of application fees for regulated activities found within Section 2.26 of the Municipal Police Code; and

WHEREAS, the Tax Collector is the authority under Section 2.27 of the Municipal Police Code, for the collection of license fees for regulated activities found within Section 2.27 of the Municipal Police Code; and

WHEREAS, the expenses incurred by the San Francisco Police Department and other city agencies in issuing, regulating and inspecting police permits and licenses, have increased since the 1981 overall fee amendment to the permit and license fees; and

WHEREAS, the Permit Section has proposed and submitted a schedule of fee revisions; and

WHEREAS, the Controller's Office has approved the schedule of permit and license fees submitted by the Permit Section; therefore be it

RESOLVED, that the attached proposed ordinance amending Section 2.26 and 2.27 of the Municipal Police Code, establishing revised fees, is hereby transmitted to the Board of Supervisors for adoption.





AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

NOTIFICATION AND FILING OF DISCIPLINARY CHARGES  
AGAINST OFFICER STEPHEN M. TITTEL, PARK STATION

RESOLUTION NO. 787-86

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Stephen M. Tittel, Park Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

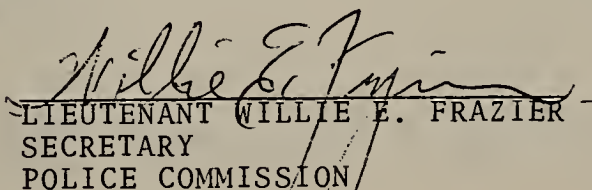
by John J. Jordan, Acting Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, is scheduled for Thursday, August 21, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

The Commission, thereafter observed a moment of silence and adjourned in Memory of Eleanor Rossi Morris Crabtree and former Police Commissioner John Ward Mailliard III. Commissioner Nelder said he just wanted to say that he was sorry to hear about both of them. He said that he knew them both very well. Eleanor Crabtree, he said, he had worked with very closely when he was on the Board of Supervisors. He said she was known as the Whitman Lady and there was nobody in San Francisco that was more conscientious about that than she. He said he certainly put in many hours with her and she certainly got the job done. He said she was a wonderful person and it is a great loss to San Francisco. He said Jack Mailliard was a Commissioner when he (Commissioner Nelder) was in the Chief's Office here in the Department. He said he was a great Police Enthusiast, a fine Commissioner and a dedicated Commissioner who put in long hours. He said there is another void in San Francisco in losing Jack.

The meeting was then adjourned at 6:25 p.m.

  
-LIEUTENANT WILLIE E. FRAZIER-  
SECRETARY  
POLICE COMMISSION





2759

AUGUST 21, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, August 21, 1986, at 1730 hours.

AYES: Commissioners Sanchez, Nelder, Owens  
ABSENT: Commissioners Davis, Giraudo

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

OCT 13 1986

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APPROVAL OF MINUTES OF THE SPECIAL MEETING OF JUNE 24, 1986

Approval of Minutes of the Special Meeting of June 24, 1986, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF MINUTES OF MEETING OF JULY 10, 1986

Approval of Minutes of Meeting of July 10, 1986, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 834-86

SUSAN THOMSON vs. CITY AND COUNTY OF SAN FRANCISCO,

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Susan L. Thomson in the sum of \$592.56 in Municipal Court No. 846-032 entitled "Susan L. Thomson vs. City and County of San Francisco, a Municipal Corporation; Rosemary Krause; and Does I through X" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 16, 1982

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 835-86

LEONARD B. HANDS, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonard B. Hands, Jr. in the sum of \$230.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 836-86

CRUMP, KINDLER & LAUCCI INSURANCE BROKERS (INSURED:  
ARTURO QUINTOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Crump, Kindler & Laucci Insurance Brokers (Insured: Arturo Quintor) in the sum of \$140.26 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION 837-86

ENTERPRISE RENT A CAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Enterprise Rent A Car in the sum of \$99.86 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 838-86

JEREMIAH TREACY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeremiah Treacy in the sum of \$86.50 as the result of storage charges, be, and the same is hereby approved.

Date of Incident: February 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 839-86

KATHRYN L. HAYS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathryn L. Hays in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 840-86

ABC TOWING (BARNEY BARON/SEAN SWEENEY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Barney Barron/Sean Sweeney) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 27, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 841-86

GRACIANO ULEP, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Graciano Ulep, Jr. in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 842-86

BRENT M. KERNAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brent M. Kernan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 25, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 843-86

TERRY KELLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry Kelly in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1986

AYES: Commissioners Davis, Owens, Nelder, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION 844-86

ARICELDA S. CARRERA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aricelda S. Carrera as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: June 27, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 845-86

DEBORAH McDONALD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah McDonald in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 26, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 846-86

JOSEPH FLETCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Fletcher in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 847-86

DEBORAH PORTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah Porter in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 848-86

DARLENE WALLACH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darlene Wallach in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 849-86

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 7, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 850-86

RONALD H. PICCIOLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald H. Piccioli in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 851-86

CURTIS J. LINBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curtis J. Linberg in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 852-86

GREGORY B. RYAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gregory B. Ryan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 853-86

SIMON S. SCHWARTZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Simon S. Schwartz in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 854-86

WILLIAM J. McFADDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William J. McFadden in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 855-86

TROY G. DILLAHUNTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Troy G. Dillahunty in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 856-86

PSYCHE KENNETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Psyche Kennett in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 857-86

NANCY JEMISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Jemison in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 858-86

STEPHEN L. REA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen L. Rea in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 859-86

TIMOTHY YIP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timothy Yip in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 5, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 860-86

LOREN S. GERSTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Loren S. Gerstein in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 861-86

CASEY WATSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Casey Watson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 862-86

DAVID ABAYAHOU DAYAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Abayahoudayan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 863-86

PETER J. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter J. Johnson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 864-86

GERALD E. BIVENS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald E. Bivens in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 22, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 865-86

RANDA BARAMKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Randa Baramki in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 29, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 866-86

MARY GILLCRIST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Gillcrist in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 867-86

KIM S. HARVEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kim S. Harvey in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 868-86

LISA PALMA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa Palma in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 869-86

BENI AGOUSTARI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beni Agoustari in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 3, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 870-86

NANCY E. KAATZ-MACDONALD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy E. Kaatz-MacDonald in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 871-86

ANDREA GUNDERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrea Gunderson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 872-86

YELLOW CAB COOPERATIVE, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Cooperative, Inc. in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 2, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 873-86

RODNEY MAGLIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rodney Maglio in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 10, 1985

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 874-86

STACY E. MONTGOMERY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stacy E. Montgomery in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 875-86

BONNIE COREN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bonnie Coren in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 876-86

DAVID A. VIGIL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David A. Vigil in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 877-86

GEOFFREY G. PROTZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Geoffrey G. Protz in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 878-86

JERRY S. WULFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry S. Wulff in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 879-86

HENRY JOSEPH JANOWSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry Joseph Janowsky in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 880-86

ABC TOWING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 6, 1985

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 881-86

PETER FOX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Fox in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 22, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 882-86

RONALD H. MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald H. Marshall in the sum of \$52.30 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 7, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 883-86

GRACE ALBIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Grace Alban in the sum of \$35.25 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: May 30, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 884-86

ABC TOWING (A. ROSE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (A. Rose) in the sum of \$34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 885-86

KAYLA B. ENTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kayla B. Ente in the sum of \$11.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 886-86

ABC TOWING (A. HALL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (A. Hall) in the sum of \$10.35 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Sanchez said he had just a couple of brief announcements. He said the Commission wanted to thank a number of the Department's Officers pertaining to the recovery of some rare art objects that had been lost since 1971, actually stolen at that time from the Asian Art Museum. He said a number of Department Administrators had an opportunity to meet with both the officers and members of the Asian Art Commission and other city officials who praised the return of these exhibits. He said he would like to say that on behalf of the Police Commission he would like to especially thank Lt. Gerald McCarthy and Inspector Gerald Evans for doing a comprehensive and outstanding police investigation done in the highest standards of the San Francisco Police Department.





He continued by saying that had it not been for their efforts and coordination with both the other Commissions and with several outside agencies it is a known fact that these items would never have been found and restored to the City and County of San Francisco. He said, so, on behalf of the Commission he wished to send a well done to both Officers and supportive staff who helped in this restoration of the priceless stolen items.

Commissioner Owens on another subject said that at this time she would like to make a motion that the Police Commission and the Police Department establish a history wall on the fifth floor of the Hall of Justice which will include photographs of the Commissioners dating back to the origin of the San Francisco Police Department. She said it should also include a short biographical profile which would also include years of service.

Commissioner Nelder said he would second that motion as he felt that it would be very informative to the public and it certainly is a part of the history of the San Francisco Police Department.

Commissioner Sanchez said in essence he would also like to speak to that motion because in the past number of years many times the Commission has adjourned in respect to past Commissioners who had served on the Police Commission. He said many were not particularly known by name although they were known because of their significance pertaining to their input regarding the process and accountability of overall police services in the City and County of San Francisco. He said he felt that this motion which has just been seconded, certainly will share with all San Franciscans the historical overview of Police Commission service over the history of this body which probably dates back to the late 1890's or thereabouts but this would be part of the overall administrative effort given this resolution. The motion was then unanimously approved.

Commissioner Nelder brought up the reception of a letter this date from a Mr. Handlesman who had received a citation for no parking streetsweeping violation after such signs had been removed from his block. Lieutenant Frazier advised the Commissioner that the letter had been forwarded to Commander Isiah Nelson of the Special Operations Divisions which is also over the Traffic Unit to investigate and respond appropriately.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Commissioner Sanchez said that the Commission now has a special item which has really been flagged for both the Police Commission report and Chief's report pertaining to the efforts of two of the Department's outstanding officers from Mission Station and a very special creative young San Franciscan and how a problem was resolved in the best interest of San Franciscans and also with efforts played by the leadership role of officers assigned to Mission Station. He then called upon Chief Jack Jordan to pursue it further.



Chief Jordan said with the Commission's permission he would like to defer the Chief's formal report and turn the matter over to Sergeant and President of the Police Officers Association, Bob Barry, who will come forward and share with everyone a very very impressive presentation.

President Barry said he would introduce a few people to the Commission in just a moment after a couple of brief remarks. He said several weeks ago a resident of the City, a young lady who is present tonight, Tina Verduco, had the theft of her wheel chair occur in her residence in the Mission District in San Francisco. He said two of Mission Station Officers, Officers Dan McDonough and Vincent Catanzaro, responded to the scene but were unable to find the wheel chair but acted very appropriately. He said they came to the Hall of Justice and with the concurrence of the Chief were able to appropriate a wheelchair from the Property Control Section of the Police Department, chairs that were either going to be destroyed or sold in auction. He said they selected one and gave it to Tina so she could continue to have wheels to get around. He said the matter came to the attention of the Police Officers Association a few days later and the Board of Directors appropriated the amount of money necessary to purchase Tina a brand new wheel chair. He continued by saying that with the assistance of Ralph K. Davies Medical Center, the Wheel Chair was obtained, it arrived a few days ago, and it is here tonight to present to Tina on behalf of the SFPOA, the Police Department and on behalf of the Police Commissioners. President Barry then introduced Tina Verduco, Officers Dan McDonough and Vince Catanzaro. He also introduced Tina's godparents, Ed and Lillian Roderick and representatives from Ralph K. Davies Medical Center Ms. Ellen Murray and Mr. Tom Higgins. After listening to verbal presentation by Officer Catanzaro, Tina Verduco came forth and said she wanted to thank everyone involved especially the two officers and that this generous gesture has made her very happy.

Commissioner Nelder then said that he would like to make a motion that Tina be made an Honorary Member of the San Francisco Police Department. The motion was seconded by Commissioner Owens and unanimously approved.

Commissioner Sanchez, thereafter, said that this was one of the best agendas the Commission has had in many years. He said on behalf of the Police Commission and the San Francisco Police Department, he really wanted to thank the SFPOA, the two Officers and Ralph K. Davies for their cooperation. He continued by saying this Commission has always been very concerned about access for handicapped persons in the City. He said furthermore, there has always been a close vigilance pertaining to handicapped zones either for parking and/or loading or unloading as you go from one area to the other.

#### RESOLUTION NO. 828-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, was called it having been scheduled for this date; and





WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Stephen M. Tittel be set for October 16, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, is set for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 829-86

DEPARTMENT GENERAL ORDER I-16, "MENTALLY DISTURBED INDIVIDUALS"

RESOLVED, that the Police Commission hereby approves the revision to Department General Order I-16, "Mentally Disturbed Individuals".

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 830-86

REVISED DEPARTMENT GENERAL ORDER D-8, "PERSONNEL PROCEDURES"

RESOLVED, that the Police Commission hereby approves the revision of Department General Order D-8, "Personnel Procedures".

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RECOMMENDATION OF THE ACTING CHIEF OF POLICE THAT THE POLICE COMMISSION GRANT TAXICAB PERMITS TO SIX APPLICANTS

Officer L. Suslow of the Permit Section said the Department has 6 applicants coming before the Commission this evening. He said in addition to the regular requirements they will need to prove public convenience and necessity to be issued taxi permits. He said there is an additional condition for Mr. Chow and that is he must receive tutoring in reading and writing English and furnish proof of that and he will be on 6 months probation if the Commission grants him the permit. He said Mr. Chow must also, 3 months from now, submit a status report as to how his tutoring is progressing. Mr. James, Clapp, Attorney at Law appeared on behalf of Mr. Chow, Mr. Tony Chew and Mr. Sum M. Ong, and said that one of the issues that he was asked to specifically address was the issue of proving Public Convenience and Necessity. He said in that regard, there are two general issues, (1) has to do with whether or not the city needs no additional permits but in this case a substitute permit owner to take over this permit, and (2) he said, he felt that this issue has been resolved by the Commission itself in the Commission's determinations at previous hearings dealing with whether or not to issue additional permits were adequate and a public need.





Other applicants who were approved for taxi permits were Mr. Mohammed El Sayed, Mr. Gay H.K. Yee and Mr. James L. Hutchins. The Commission then adopted the following resolution:

RESOLUTION NO. 831-86

WHEREAS, the below-named applicants appeared at a Public Convenience and Necessity hearing held on Thursday, August 21, 1986; and

WHEREAS, the Commission determined at a Public Convenience and Necessity hearing on Thursday, August 21, 1986, based on the record received at that hearing, that clear and convincing evidence supported a finding that public convenience and necessity required the operation of a certain number of motor vehicle for hire permits; and

WHEREAS, prior to the emergence of Proposition "K" there were approximately 711 taxicab permits in the City and County of San Francisco; and

WHEREAS, the Police Commission, pursuant to Resolution No. 283-84, dated March 29, 1984, has set the number at 761 taxicab permits for the City and County of San Francisco; therefore be it

RESOLVED, that the six applicants listed below are qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted under and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be with an additional condition put on applicant Henry Y. Chow; and be it further

RESOLVED, that Henry Y. Chow is to attend tutoring classes for the purpose of learning to read and write English and after subsequent three month intervals i.e., (first three months and second three months) of such tutoring he is to submit a status and final report showing evidence of satisfactory completion.

Henry Y. Chow  
Tony Chu  
Mohamed Elsayed  
Sum M. Ong  
Gay H. K. Yee  
James L. Houchins

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RECOMMENDATION OF THE ACTING CHIEF THAT THE POLICE COMMISSION ADOPT A PROPOSED RESOLUTION APPROVING A NEW FEE SCHEDULE FOR THE FINGERPRINTING OF PERMIT APPLICANTS

Captain Henry Eidler addressed this item and said that the ID Section is required by law to charge a fee for fingerprinting applicants and the fee must be sufficient to cover the direct cost for providing the services. He said their present fee is 16 dollars which has not been raised in several years. He continued by saying they recently had an occasion to conduct a time and motion study which indicated that the fee should be raised to \$17.50. He said this works out to an 1800 dollar a year increase.



Commissioner Nelder said \$17.50 seems to be a modest increase and he would move for approval. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 832-86

WHEREAS, the present fee of \$16.00 for the fingerprinting of permit applicants has not been changed in many years, and

WHEREAS, Section 1450 of the Municipal Police Code states that the Police Commission, with the concurrence of the Controller, shall fix such fees to adequately cover the cost of reproducing, handling and furnishing all such material, and

WHEREAS, the latest cost data supports an increase in fees, and

WHEREAS, the Controller concurs with this recommendation; therefore be it

RESOLVED, that the San Francisco Police Commission approves the adoption of a \$17.50 fee schedule for the fingerprinting of permit applicants.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

REQUEST OF THE ACTING CHIEF OF POLICE TO WITHDRAW THE  
EARLIER REQUEST FOR REVOCATION OF THE TAXI OWNER'S  
PERMIT/MEDALLION NO. 434 HELD BY MR. WILLIAM LUM  
(CONTINUED FROM MEETING OF JULY 10, 1986)

Lieutenant Greg Winters, in addressing the Commission stated:

"In consideration of the following the Chief would recommend to you that the citation to revoke be withdrawn if Mr. Lum would accept and waive appeal rights to the revocation of his taxi drivers' permit and agree not to reapply for that permit for a time period of not less than two years. The longer of the following periods, completion of his criminal probation, two years or completion of the counseling program. All three of those conditions would have to be satisfied before his re-application will be accepted. In other words, if his criminal probation is terminated in his favor in less than two years he would have to wait out the two year period and he would still have to complete a course of counseling. Secondly, he will lease his cab, his medallion, his owner's permit out to another color scheme and not engage in any management or driving of that cab until at such time he applies for or obtains another A card or driver's permit. And again the course of counseling and therapy would have to be verified to the reasonable satisfaction of the Department by the counselor or the investigating agency. And then upon his re-application the Police Commission would take jurisdiction and make the final decision as to whether the application would be accepted or not.





Ms. Barbara Brenner, Mr. Lum's Attorney stated: "I believe it is unfair to Mr. Lum because essentially it extends through the penalty he is agreeing to accept beyond the terms of the understanding we had when we made the offer to settle. We are not talking about the Taxi Medallion. The Commission is concerned over whether the medallion is being run by people who have the safety of the public in mind and are satisfied by that term. The question of whether or not Mr. Lum should or should not be permitted to drive would be normally in the course of events a decision for the Chief of Police. Should the Chief of Police determine that an application Mr. Lum has gotten is inappropriate then Mr. Lum would have appeal rights. Which may or may not be before this Commission and if that is the case he would be back here. If the Chief makes a determination consistent with this agreement that Mr. Lum has done everything he has agreed to do in terms of the settlement and complied with the rules and regulations of the city in such a way as to not to deprive him of the opportunity to drive then three years from now there is no reason for this Commission to look at it. I don't agree with the Commission reviewing Mr. Lum's case again if his application came at the end of a three year probation and was then acted on.

After listening to further testimony, engaging in discussion among the parties and themselves, Commissioner Owens made a motion to adopt the following resolution:

RESOLUTION NO. 833-86

WHEREAS, the recommendation to withdraw the request for revocation of Mr. William Lum's taxi owner's permit by the Acting Chief of Police would be approved by the Police Commission if he, (1) agrees to accept to waive appeal rights and agrees not to reapply for a time period of not less than three years based upon the following:

That he also, (2) completes his criminal probation and (3) three years completion of a counseling program. All three of these conditions must be satisfied before his reapplication will be accepted by the Police Commission; that he will lease his cab, his medallion, his owner's permit to another color scheme and not engage in any management or driving of that cab until such time as he applies for or obtains another "A" card or driver's permit; that the course of the counseling and therapy will have to be verified to the reasonable satisfaction of the Department by the counselor or the investigating agency; that should the Chief of Police determine that Mr. Lum has not qualified in regards to the above requirements, Mr. Lum would then have the right to appeal in a Chief's hearing and subsequent rights, if necessary, before the Police Commission, and

WHEREAS, the Police Commission has concurred with the above stated requirements regarding Mr. Lum's taxi permit; therefore be it

RESOLVED, that it is the order of the Police Commission that Mr. William Lum shall comply with the above stated requirements as outlined, all of which shall be completed within the specified time period.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

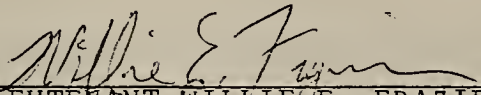


PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
D-1, "GENERAL RULES OF CONDUCT"

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This item was continued for one week.

Commissioner Nelder then made a motion to  
adjourned, it was seconded by Commissioner Owens and  
the meeting was adjourned at 8:00 PM.

  
\_\_\_\_\_  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



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8/22/86

AUGUST 28, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 28, 1986 at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Davis, Giraudo  
ABSENT: Commissioners Nelder, Owens

DOCUMENTS DEPT.

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1. Attorney-Client Conference.

Commissioner Sanchez presiding.

AUGUST 28, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 28, 1986 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Davis, Giraudo  
ABSENT: Commissioners Nelder, Owens

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JULY 17, 1986

The minutes of the meeting of July 17, 1986 were approved, the Commissioners having received, approved and returned copies of same.

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this afternoon under the Brown Act pertaining to an Attorney Client Conference and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said that one item he would like to update the Commission on is the abandoned auto situation. He said as the Commission may know there are between 1700 and 2000 abandoned autos lying around the city. He said the Department is trying to work out the coordination between the Purchasing Department for contracts for dismantlers and Tow Companies and then for sites or locations to deposit them. He said there have been emergency meetings with all concerned, in the Mayor's Office, in an attempt to coordinate all our efforts. He said at this point all are on their third day of working out a stop gap measure solution where 34 vehicles a day are being picked up. He said they are being taken to a temporary site at Tennessee and Marin out near the Bayview area. He said at this point they are taking care of the most hazardous vehicles that are seen as the worst eyesores and hazards and the Department is working vigorously with the Purchaser of Supplies in hopes that contracts will soon becoming forth with more dismantlers in order to increase the numbers towed.





Commissioner Sanchez said that Schools are opening next week and that he would suggest that if there are any abandoned vehicles especially in middle schools or in elementary school district areas, then those areas should become a priority as they are very hazardous for the younger students.

POLICE COMMISSION DISCUSSION AND POSSIBLE DECISION ON  
THE PROPOSED AMENDMENTS TO THE OFFICE OF CITIZENS  
COMPLAINTS INVESTIGATIVE HEARING RULES

Commissioner Sanchez said this matter was originally held over pertaining to some requested additional material forthcoming from the City Attorney's Office but as of this date it has not arrived. Commissioner Giraudo said he would move that it be continued for two weeks. It was seconded by Commissioner Davis and unanimously approved.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE  
COMMISSION REVOKE THE LIMOUSINE PERMIT AND 26  
INTER-URBAN BUS PERMITS HELD BY SAN FRANCISCO  
AIRPORTER INCORPORATED

Lieutenant Greg Winters appeared on this item and recommended that due to the state of the documentation received and the volumes yet to be read, in order to give the Commission a fair picture of the Department's case, and a fair picture of the the operation in total, he would request that the matter be continued for 90 days or to the first Thursday in December, which is December 4th. The matter, on motion by Commissioner Davis was then continued to December 4, 1986.

RESOLUTION NO. 767-86

WHEREAS, the date for the hearing on the recommendation of the Chief of Police to revoke the Limousine Permit and 26 inter-urban bus permits held by San Francisco Airporter, Inc. was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephan C. Leonoudakis, Attorney at Law, representing the San Francisco Airporter, Inc., that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. be set for August 28, 1986; therefore be it

RESOLVED, that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. is set for Thursday, August 28, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RE-HEARING ON THE PETITION OF VETERANS TAXICAB  
COMPANY vs. SPECK TAXICAB COMPANY

---

Mr. Gene Elliot of the City Attorney's Office appeared and said this matter was previously brought before the Commission and there has been a request by Mr. David Cincotta, representing Veterans Taxi Cab Company for a continuation of that hearing. He said that he would point out to the Commission that at the last Hearing at the request of P.A.P.A., the petitioners in this matter, the issue was put over until this evening. He said he would say that the City Attorney's Office has no objection to this request, however, they would request the Commission to issue a ruling that there would be no further continuances if this continuance is granted and that a date be set perhaps sometime in the middle of October.

Other speakers, Mr. David Cincotta, Mr. Wayne Canterbury then pointed out that Mr. Cincotta was actually representing Speck and he (Canterbury) was representing Veterans. Mr. Richard Lygutis, last counsel of record for PAPA, said he still represented one of the top ten of the 1st 25 applicants for taxi permits. He said he has no objection to the continuance except they (PAPA) have been under pressure to carry this particular item and as such they issued a subpoena duces tecum yesterday on the cooperate treasurer of Veterans in the event this item was to go forward this date. He said so long as the Commission directs the party who is present tonight to be here on the continuance date along with the cooperate records and possibly make provisions for PAPA to copy those records at PAPA's expense, and if the Commission is willing to do that then they have no objection to that continuance.

Mr. Elliot said the City Attorney's Office, in regard to the subpoena request, can write the necessary enabling document to go along with the subpoena to obtain the mentioned documents of which the City Attorney's Office also would like to have copies.

Commissioner Giraudo said he would make a motion that it be continued to October 16th, Commissioner Davis seconded and it was unanimously approved.

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
D-1 "GENERAL RULES OF CONDUCT"

---

Deputy Chief Casey said this was mostly a house keeping measure and that what it does is change Rule 32 of the General Rules of Conduct by closing a loop hole. He said it formerly read: "Members shall when subpoenaed or requested to appear as a witness in any criminal proceeding or in any proceeding before the Board or when subpoenaed or requested to appear in any Civil Proceeding in which the city is a party etc, etc, would have to notify the Legal Office immediately." He said to this would be added: "And in any proceeding of a criminal, quasi-criminal or administrative nature resulting from investigation by the Department or in any other way involving the Department." He said what it allows in effect is the rule of discovery for the Department if one of its members are going to testify on the other side, and, also to the rule was added a proviso that any officer who is subpoenaed by the other side would not be disciplined merely because he is subpoenaed.





Commissioner Davis said he recalled a case before the Commission where this was important and he feels it will now take care of that loop hole. He said he would move for adoption. Commissioner Giraudo seconded and it was unanimously approved.

RESOLUTION NO. 887-86

RESOLVED, that the Police Commission hereby approves the revision of Department General Order D-1, "General Rules of Conduct".

AYES: Commissioners Davis, Giraudo, Sanchez  
ABSENT: Commissioners Nelder, Owens

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER R-1, "VEHICLE ACCIDENTS INVOLVING MEMBERS"

Deputy Chief Casey also addressed the Commission on this proposed change and advised that it deals with the proviso of officers having to wear seat belts. He said the other amendment to this order has to do with a personnel nomenclature change.

The item was then approved.

RESOLUTION NO. 888-86

RESOLVED, that the Police Commission hereby approves the revision of Department General Order R-1, "Vehicle Accidents Involving Members".

AYES: Commissioners Davis, Giraudo, Sanchez  
ABSENT: Commissioners Nelder, Owens

At this time Commissioner Sanchez said he had intended during the Police Commission Report, to congratulate Deputy Chief Jack Jordan who served as the interim Chief during the Chief's vacation. He said the Deputy had done an outstanding job and really spent many many hours above and beyond the call of duty.

HEARING OF THE APPEAL OF THE CHIEF'S SUSPENSION OF SERGEANT FRANCIS P. WILLIAMS, RICHMOND STATION

The hearing of the appeal of the Chief's suspension of Sergeant Francis P. Williams, Richmond Station, was called it having been set for this date.

Sergeant Francis P. Williams appeared in person and was represented by Mr. Charles G. Ogulnik, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. Charles Ogulnik for the Defense. Mr. Ogulnik presented written documentation in the form of Defense Exhibits 1-9 and made verbal representation of their contents.



The following named witnesses appeared for the Prosecution, were sworn and testified:

Lt. Fernando Gamez, Technical Services Bureau/  
Identification  
Former Captain Roger Maloney, Company C

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1      Daily Assignment Report dated  
November 18, 1985

Exhibit #2      Intra Dept. Memo in conjunction  
with Defense Exhibits 1-9.

The following named witnesses appeared for the Defense, were sworn and testified:

Recall of Lt. Fernando Gamez, Technical Services  
Bureau/Identification  
Captain Richard Shippy, Company G  
Captain Michael Hebel, Community Services  
Sgt. Francis Williams, Company G

Closing statements were made by both Mr. Michael Gash and Mr. Charles Ogulnik.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

#### RESOLUTION NO. 889-86

#### DECISION - HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF SGT. FRANCIS P. WILLIAMS, RICHMOND STATION

It is the decision of the Commission that the Chief's suspension of Police Sergeant Francis P. Williams for three days is not sustained.

Recesses taken during the hearing of Sergeant Williams:

7:25 p.m. to 7:35 p.m.  
8:42 p.m. to 9:13 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

#### RESOLUTION NO. 890-86

#### NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER HARUKI R. MASTERS, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Haruki R. Masters, Potrero Station, as follows:

#### SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);



SPECIFICATION NO. 2

Failure to answer question truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Haruki R. Masters, Potrero Station, is scheduled for Thursday, September 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Sanchez  
ABSENT: Commissioners Nelder, Owens

RESOLUTION NO. 891-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER WALTER D. CUDDY, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Walter D. Cuddy, Potrero Station, as follows:

SPECIFICATION NO. 1

Drawing a firearm in a public place without cause (violation of Section II.B of General Order F-1 of the San Francisco Police Department)

by John J. Jordan, Acting Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the settle of the hearing of the disciplinary charges filed against Police Officer Walter D. Cuddy, Potrero Station, is scheduled for Thursday, September 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Sanchez  
ABSENT: Commissioners Nelder, Owens

RESOLUTION NO. 892-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MICHAEL J. REESNIK, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael J. Reesink, Potrero Station, as follows:

SPECIFICATION NO. 1

Discharging a firearm in a reckless and irresponsible manner (violation of Section VI.C. of General Order F-1 of the San Francisco Police Department)

by John J. Jordan, Acting Chief of Police, San Francisco Police Department; therefore be it






RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael J. Reesnik, Potrero Station, is scheduled for Thursday, September 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Sanchez  
 ABSENT: Commissioners Nelder, Owens

The meeting, thereafter, was adjourned at 9:30 PM.

  
 LIEUTENANT WILLIE E. FRAZIER  
 SECRETARY  
 THE POLICE COMMISSION



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Minutes

SEPTEMBER 4, 1986

SPECIAL MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 4, 1986 at 1700 hours on a Special Meeting.

AYES: Commissioners Sanchez, Nelder, Owens, Giraudo  
ABSENT: Commissioner Davis

1. Attorney-Client Conference

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

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SEPTEMBER 4, 1986

REGULAR MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 4, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Sanchez, Nelder, Owens, Giraudo  
ABSENT: Commissioner Davis

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JULY 22, 1986

Approval of Minutes of Meeting of July 22, 1986 the Commissioners, having received, approved, returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 898-86

SETTLEMENT OF COHEN, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Cohen, et al vs. City and County of San Francisco, et al in Superior Court Action No. 784-036 regarding proposed amendments to the Police Code, be, and the same is hereby approved.

AYES: Commissioners Sanchez, Nelder, Owens, Giraudo  
ABSENT: Commissioner Davis

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met this date under the Brown Act pertaining to an Attorney Client Conference and no vote was taken.





#### A.) Narcotics Forfeiture Fund

Commissioner Sanchez said this items deals with a matter which was approved by the Police Commission and initially brought by the Chief which included the Police Commission as part of the nomenclature of the process. He said so basically the Commission under the City Charter and the Chief of Police, act as a body pertaining to matters of both jurisdiction, oversight and command. He said evidently this was deleted somehow as far as the Police Commission's function or role when it went over to a Hearing before the Board of Supervisors and it was approved by the Board for whatever reason with the Commission being deleted from the process. He said in essence he would like the new City Attorney to find out how in fact this oversight could be corrected so that the Commission could ensure that that forum which was already agreed upon by the Commission and then forwarded to the Board of Supervisors and to the Mayor's Office could in fact be the same as the Commission had voted for at that point and time. He said he knows his statement is sort of extended but in essence the Ordinance has already been approved and his position now is after the fact but it is a matter of principal. He said it was brought before this Commission in its original form which the Commission discussed and approved, it was forwarded and somehow it could have been an error by omission or by whatever, or a known deletion. He said the Commission just wants to find out how in fact this can be corrected.

Chief Jordan said that he has no problem with that because the normal procedure would be for the Department, when it does ask for funding of specific items from the Narcotic Forfeiture Fund, that it always should go through for approval from the Police Commission as well.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had no items to report at this time.

#### STATUS REPORT ON THE OFFICE OF CITIZENS COMPLAINTS

Mr. Frank Schober, Director of the OCC covered what he determined as three main items, (1) the OCC's Management by Objectives, (2) Investigative processes, and (3) major statistical points regarding but not limited to Reduction in Complaints. Mr. Schober also enlisted the aid of his Assistant Mr. Dan Silva and his Statistician Mr. Steven Lutz. Upon completion of the presentation, Commissioner Nelder said the report was very good and certainly the results are very complimentary to the Department and all concerned. However, he said, the Commission is primarily concerned with, 1) does a person who desires to make a complaint have easy access to make that complaint and 2) is there a quality investigation involved?



Mr. Schober said he had hoped that he would be able to have satellite offices without having to budget for them with the small OCC restricted budget. He said he hoped to obtain assistance from community agencies such as CUAV who hear complaints and make the information known to the OCC. He said another way is to become better known through the Transit Campaign. As for quality investigations he said his plan is to train and re-train his staff and to hold all of his investigators accountable for the quality of the investigation they turn out. He said he will not sign off on those investigations which in his mind are not of sufficient quality to be sent to the Police Commission for Police Commission approval.

Commissioner Sanchez said he concurred with what was presented as it was presented well. He said he would also like to re-enforce what has been said by his colleagues and that is in regard to access and what it means in Urban Areas to a citizen of various ethnicities or language. He continued by saying that if in fact a trauma situation occurred involving a SFPD Officer who do they call? He said he felt access meant 24 hour access and that means that the person reporting may not have to respond to the Hall of Justice but that there would be available one or two staff persons who are trained and are multi-lingual and who could respond with a tape recorder and interview a handicapped person, a senior person, or any others whether it is in a hospital facility or in the projects or wherever they happen to be and take a very professional type interview. He said, then, in house OCC Staff could review it and the whole investigation could then commence. He said he felt extra funds would not be needed as it is and always has been one of the OCC's major missions for the Commission acting as an oversight for the OCC, to respond to implementing this concept of OCC as it was voted upon and approved by the citizens of San Francisco. Speakers from the audience were Mr. John Carew, Attorney, ACLU, and Mr. Kevin Rowe, CUAV.

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
L-1, "OFFICE OF CITIZENS COMPLAINTS (OCC) COMPLAINTS  
AGAINST OFFICERS"

Continued off calendar.

RESOLUTION NO. 894-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER HARUKI  
MASTERS, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Haruki Masters, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Haruki Masters be set for October 2, 1986; therefore be it





RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Haruki Masters, Potrero Station, is set for Thursday, October 2, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 895-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER WALTER D. CUDDY, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Walter D. Cuddy, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Walter D. Cuddy be set for October 30, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Walter D. Cuddy, Potrero Station, is set for Thursday, October 30, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 896-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL REESINK, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael J. Reesink, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Michael J. Reesink be set for October 30, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Michael J. Reesink, Potrero Station, is set for Thursday, October 30, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE LIMOUSINE PERMIT #L-18 AND MOTORIZED RICKSHAW PERMITS MR-1, MR-2 and MR-3 HELD BY MR. EDMUND L. JUNG AND DENIAL OF HIS SUSPENSION OF OPERATION REQUEST

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Lieutenant Gregory Winters of the Permit Section said that there is one legal issue in this case that might best be resolved by the City Attorney prior to the Commission hearing the facts of the matter. He said Mr. John Prentice, Attorney for Mr. Jung, has prepared a proposed Resolution which he (Lt. Winters) has amended to make it neutral on its face, asking the City Attorney for his opinion as to whether a certain form of ownership transfer was in fact a Proposition K violation. He said it would probably help the Commission in making their deliberations when this matter is heard before the Commission again. Commissioner Giraudo said he would make a motion for a continuance. It was seconded and continued to Thursday, October 9, 1986.

RESOLUTION NO. 971-86

Request of Police Commission for City Attorney's opinion regarding application of Proposition K.

WHEREAS, Mr. Edmund L. Jung was granted one or more Public Vehicle for Hire Permits under the name Chinatown Rickshaw Tours; and

WHEREAS, these permits were granted on or before April 14, 1972 but one or more were thereafter transferred to a corporation on October 24, 1980; and

WHEREAS, Mr. Edmund L. Jung was the sole owner of Chinatown Rickshaw Tours prior to incorporation and is now the sole stock holder of the corporation that now owns Chinatown Rickshaw Tours; and

WHEREAS, there is a question as to whether or not this transfer has violated the provisions of Proposition K; now therefore be it

RESOLVED, that it is the order of the Police Commission that a request be made to the City Attorney's office asking for a City Attorney's opinion as to whether or not the transfer of his company, Chinatown Rickshaw Tours, as it relates to one or more of his permits violated Proposition K when said assets were transferred from a sole proprietorship to a corporation named Chinatown Rickshaw Tours, Inc. on October 24, 1980; and be it further

RESOLVED, that the revocation proceeding that was scheduled for September 4, 1986 as against permit holder Mr. Edmund L. Jung be, and is hereby continued for a period of one month to allow the City Attorney to prepare a City Attorney's opinion prior to the date of hearing.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



HEARING OF POLICE OFFICER JESSE O. BEESON,  
COMMUNICATIONS DIVISION

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The hearing of Police Officer Jesse O. Beeson, Communications Division, was called it having been set for this date. Police Officer Jesse O. Beeson was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Jesse O. Beeson appeared in person and was represented by Mr. Michael Rains, Attorney at Law.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. Michael Rains for the Defense. Mr. Rains submitted an admission to the charge on behalf of his client, Officer Jesse Beeson.

Commissioner Owens made a motion for acceptance of the plea and was seconded and unanimously approved.

The following named witnesses appeared for the Defense, were sworn and testified:

Officer Jesse O. Beeson, Communications Division  
Lieutenant Roddy J. Glover, Company I  
Sergeant Judy Purcell, Communications Division

The Commission also accepted the written testimony of Officer Jesse Beeson.

Thereafter, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Officer Jesse O. Beeson be terminated, to be held in abeyance for two years, and be suspended for 90 days.

Mr. Michael Rains, Defense Attorney, made a closing statement in regards to the Chief's recommendation.

The Commission took the matter under submission, and the following resolution was adopted:

RESOLUTION NO. 897-86

DECISION - HEARING OF POLICE OFFICER JESSE O. BEESON,  
COMMUNICATIONS DIVISION

---

WHEREAS, on June 26, 1986, Frank M. Jordan, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Jesse O. Beeson as follows:





CHARGE NO. 1

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (1) At all times herein mentioned, Jesse O. Beeson, Star No. 360 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and then assigned to the Golden Gate Division, Taraval District and now assigned to the Communications Division;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On April 27, 1986 at or about 1530 hours, the accused was off duty and present in an open public area of Golden Gate Park near the soccer fields at the west end of the park;
- (4) Families and children were in and about the area where the accused was lying on a blanket with another man on the grass near the soccer fields;
- (5) Two members of the San Francisco Police Department Mounted Unit, in uniform and on duty assigned to patrol the park, walked down a public pathway to the soccer fields. As they approached the place where the accused was lying, they could see that the pants of the other man lying on the blanket were partially removed and the accused was fondling the genitals of the man while the accused's exposed erect penis was rubbing against the other person;
- (6) The accused was taken into custody for committing a lewd act in a public place, cited and released;
- (7) The accused, by committing a lewd act in a public place by exposing his genitals and fondling the genitals of another while laying on a blanket in full view of families and children at a public soccer field, has engaged in conduct which subverts the good order, efficiency and discipline of the Department and which reflects discredit on the Department in violation of Rule A-9 of General Order D-2 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."



and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, September 4, 1986, and on Thursday, September 4, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Jesse O. Beeson are sustained; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Jesse O. Beeson has violated Rule A-9 of General Order D-1 of the San Francisco Police Department, and for said violations he shall be terminated from the San Francisco Police Department; and be it further

RESOLVED, that said termination, effective immediately, be and the same is hereby affirmed and approved.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Recess taken during the hearing of Officer Jesse Beeson:

8:28 p.m. to 9:00 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

RESOLUTION NO. 893-86

NOTIFICATION AND FILING OF CHARGES AGAINST SERGEANT GREGORY CLONEY, COMMUNICATION DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Gregory Cloney, Communications Division, as follows:

CHARGE NO. 1

Failure to report for duty at the time and place required by assignment (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by John J. Jordan, Acting Chief of Police, San Francisco Police Department; therefore be it



RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Gregory Cloney, Communications Division, is scheduled for Thursday, September 11, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

The meeting, thereafter, adjourned at 9:30 PM.



LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





SEPT 11 1986

SEPTEMBER 11, 1986

SPECIAL MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday September 11, 1986 at 1700 hours on a Special Meeting.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

1. Attorney-Client Conference

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

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SEPTEMBER 11, 1986

REGULAR MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday September 11, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JULY 24, 1986

Approval of Minutes of Meeting of July 24, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 900-86

FRANK KILBY vs. CITY AND COUNTY OF SAN FRANCISCO (OFFICER NG), and FIRST DOE through TWENTIETH DOE inclusive

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Kilby in the sum of \$42,500.00 on Superior Court No. 808-547 entitled "Frank Kilby vs. City and County of San Francisco (Officer Ng), and FIRST DOE through TWENTIETH DOE inclusive" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 4, 1982

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 906-86

OLGA SASCHIN vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the settlement of judgement awarded to Olga Saschin in the sum of \$416.22 in Small Claims Court No. 452-674 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 6, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 907-86

JARCIK INSURANCE AGENCY (INSURED: JEFFREY LEEDY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jarcik Insurance Agency (Insured: Jeffrey Leedy) in the sum of \$348.96 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 4, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 908-86

DEBORAH MOSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah Moss in the sum of \$245.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 23, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 909-86

B & H MOTORS, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of B & H Motors, Inc. in the sum of \$239.94 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 910-86

SERGIO VRIEL SANCHEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sergio Vriel Sanchez in the sum of \$125.75 as the result of a faulty tow, be, and the same is hereby approved.





Date of Incident: June 10, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 911-86

DENISE NOEL LESCOHIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Denise Noel Lescohier in the sum of \$112.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 912-86

JEROME E. MATTHEWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerome E. Mathews in the sum of \$110.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 12, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 913-86

JOANNE CHRISTIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joanne Christian in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 914-86

LYNN M. INGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynn M. Ingham in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 915-86

ABC TOWING (DARREL CHILTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Darrel Chilton) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 916-86

LISA SEIWALD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa Seiwald in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 917-86

ABC TOWING (MARK A. GRAY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mark A. Gray) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 918-86

ABC TOWING (MONICA CRUZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Monica Cruz) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 24, 1985

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 919-86

ABC TOWING (PAMELA McDOUGALL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Pamela McDougall) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 920-86

ABC TOWING (DENISE THOMAS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Denise Thomas) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 921-86

ABC TOWING (MICHELE WYNNE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Michele Wynne) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 13, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 922-86

ABC TOWING (TONY KLOBUCAR)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Tony Klobucar) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 15, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 923-86

ABC TOWING (ANTHONY R. HENRY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Anthony R. Henry) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Feb. 20, 1986 - July 21, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 924-86

MARY SUE HERGERT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Sue Hergert in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RESOLUTION NO. 925-86

RICHARD VAN DEELEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Van Deelen in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 926-86

FERNANDO G. VITERI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fernando G. Viteri in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17-18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 927-86

CATHERINE TYSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine Tyson in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 928-86

STEVEN M. McCALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven M. McCall in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 929-86

CHARLES ZONTA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Zonta in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 930-86

LOIS JEAN HAGGERTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lois Jean Haggerty in the sum of \$76.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 931-86

NARAIN G. MUKHI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Narain G. Mukhi in the sum of \$70.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 932-86

YOLANDA JUAREZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yolanda Juarez in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 933-86

ABC TOWING (ROBERT McCOY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Robert McCoy) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 934-86

KAMALA K. OMRAZETI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kamala K. Omrazeti in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RESOLUTION NO. 935-86

ABC TOWING (ANTOINETTE FALCO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Antoinette Falco) in the sum of \$63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 4, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 936-86

JERROLD ROSENBLUM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerrold Roseblum in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 1, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 937-86

PEGGY DOHRMA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peggy Dohrma in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 938-86

MARILYN T. CHRISTOPHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marilyn T. Christopher in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 31, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 939-86

PATRICIA BARTLETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Bartlett in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 940-86

ABC TOWING (LECH CYBICHOWSKI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Lech Cybichowski) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 29, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 941-86

REGGIE CUNNINGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Reggie Cunningham in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 942-86

MICHAEL RHOADES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Rhoades in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 13, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 943-86

ABC TOWING (FRANCIS O'BRIEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Francis O'Brien) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 944-86

K. B. GRIFFITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of K. B. Griffith in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 940-86

ABC TOWING (LECH CYBICHOWSKI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Lech Cybichowski) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 29, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 941-86

REGGIE CUNNINGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Reggie Cunningham in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 942-86

MICHAEL RHOADES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Rhoades in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 13, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 943-86

ABC TOWING (FRANCIS O'BRIEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Francis O'Brien) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 944-86

K. B. GRIFFITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of K. B. Griffith in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RESOLUTION NO. 945-86

LeROY EVERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of LeRoy Everson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 946-86

MICHELLE GAIDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michelle Gaide in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 947-86

JOYCE WANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joyce Wang in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 5, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 948-86

JANE KRISTOFFERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jane Kristofferson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 19, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 949-86

DAVID P. FORMOSA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David P. Formosa in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 12, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 955-86

URSULA HAENE-HAGEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ursula Haene-Hagen in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 956-86

MARK B. CANEPA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark B. Canepa in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 901-86

FRANCES O'MEIR vs. CITY AND COUNTY OF SAN FRANCISCO,  
et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Frances O'Meir in the sum of \$4,000.00 in Superior Court No. 786-765 entitled "Frances C. O'Meir vs. City and County of San Francisco, DOE I through DOE XX" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1981

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this afternoon in accordance with the provisions of the Brown Act in an Attorney Client Conference and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had one item and that is just an update. He said yesterday there was Auto Dealership strike incident at the Auto Center. He said there were four arrests there and they included Walter Johnson, Head of the Labor Council. It, he said, was all done through a temporary restraining order. He said the Officers were acting under the capacity of making a citizens arrest on behalf of the parties at the Auto Center. He said there were no complaints regarding police contacts or actions that took place and the arrestees eventually were later released. He said the Department had planned to cite them but they wanted to be arrested, which was at their request, and that is exactly what happened.





He said the second incident had to do with the Local 2 Hotel and Restaurant Employees Union. He said they have not at this moment struck but they are anticipating a possibility of a strike. He said the Department would have whatever personnel on line to deal with it. He said orders are to stay very neutral and only take whatever actions necessary and appropriate.

#### POLICE COMMISSION DISCUSSION AND POSSIBLE DECISION ON THE PROPOSED AMENDMENTS TO THE OFFICE OF CITIZENS OF COMPLAINTS INVESTIGATIVE HEARING RULES

Commissioner Sanchez said this matter, again, because of the change of command in the City Attorney's Office will require another week's continuance.

Commissioner Owens said she would make a motion to continue it for one week. It was seconded by Commissioner Nelder and unanimously approved.

#### A COMMITTEE OF CONCERNED CITIZEN'S REQUEST OF THE POLICE COMMISSION TO INVESTIGATE THE "SHOOTING OF LARRY LUMPKIN" ON MAY 20, 1986

Mr. Johnson-Redd addressed the Commission on this item and said that he was here today on behalf of concerned citizens, an Ad Hoc Committee of Citizens, in the OMI Community. He said they have a petition containing signatures of more than 1,000 citizens. He then read the exact script of the petition, portions of which are quoted herein: "The Citizens Concern, an Ad Hoc Committee, was formed out of a need to express the horror felt in the OMI Community and city wide about the May 20th 1986 shooting of Larry Lumpkin by 2 San Francisco Policemen. We, the undersigned citizens, question whether proper police procedures, defined in the San Francisco Firearms Policy, was followed in this incident. We also believe that a fleeing suspect who was cornered should be apprehended. Another question we ask is why was his body left outside for more than three hours after he was shot? We feel that a public investigation by the Police Commission or the Board of Supervisors, would answer these as well as other questions". Mr. Johnson-Redd then went on to give his own verbal testimony in this regard and in closing, he said they wanted this matter brought out totally from under the rug and after the investigation is completed they expect the Officers to be charged with the following crimes, murder in the first degree, 2nd degree murder, manslaughter and at the very, very minimum, violation of Larry Lumpkin's civil and human rights.

Other speakers on the issue were Reverend Eugene Lumpkin, Uncle of the deceased, representing the Bayview Baptist Ministers Fellowship, Mr. Baba Holmes, and Mr. Leon Pleasant, Activist.



Commissioner Sanchez, after listening to the above named speakers, said he wanted to thank them and all present for taking time out to come down to express their concerns and present their request pertaining to a full investigation into this issue by the Police Commission. He said he would like to state for the record that the Police Commission is made up of citizens from this city who are committed to insure that the system is fully operational. He said that the Commission at this point is ordering the Director of the Office of Citizen Complaints, Mr. Frank Schober, who is present, to conduct an objective and comprehensive investigation pertaining to the allegations and concerns brought by the Ad Hoc Committee in its petition submitted here tonight.

Mr. Frank Schober said he had received instructions last week from the Commission to commence an investigation into the complaint of the petitioners. He said he has assigned two experienced civilian investigators to the case and this will be the only matter they will investigate until it is concluded. He said he has authorized as much overtime as necessary to properly investigate the case. He said the investigators have been instructed to report to him daily with updates of the progress of the investigation. He said he would also personally keep the Commission advised weekly by confidential memo of the progress of the investigation.

Commissioner Nelder said he would make a motion that this investigation by the OCC shall be complete and thorough and submitted to the Police Commission. Commissioner Owens, seconded and it was unanimously approved.

#### RESOLUTION NO. 902-86

#### SETTING OF DATE FOR HEARING OF SERGEANT GREGORY CLONEY, COMMUNICATIONS DIVISION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Sergeant Gregory Cloney, Communications Division, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Sergeant Gregory Cloney be set for October 16, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Sergeant Gregory Cloney, Communications Division, is set for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





HEARING OF POLICE OFFICER RICHARD D. TONG, INGLESIDE  
STATION

---

The hearing of Police Officer Richard D. Tong, Ingleside Station, was called it having been set for this date. Police Officer Richard D. Tong was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to provide name, star number and assignment when requested by a citizen (violation of Rule A-14 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Richard D. Tong appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. Casimir Wilson for the Defense.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Thomas Prestwich, #1 Market Plaza  
San Francisco, CA  
Mr. Tom Feldstein, #1 Market Plaza  
San Francisco, CA  
Mr. Ralph Aharra, #1 Embarcadero, YMCA  
San Francisco, CA

The following named witnesses appeared for the Defense, were sworn and testified:

Officer Michael J. Niland, Company G  
Officer Richard D. Tong, Company G

The following exhibit was entered into evidence by the Defense:

Exhibit A Incident Report #850955251, 09/05/85  
by  
Officer Michael Niland

Closing statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Specification No. 1 and Specification No. 2 are sustained.





Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Officer Richard D. Tong be suspended for 45 days.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 903-86

DECISION - HEARING OF POLICE OFFICER RICHARD D. TONG,  
INGLESIDE STATION

WHEREAS, on May 8, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Richard D. Tong as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

- (a) At all times herein mentioned, Richard D. Tong, Star No. 2110, was and is a police officer employed by the San Francisco Police Department. Officer Tong was assigned to the Patrol Bureau Task Force. He is currently assigned to the Golden Gate Division - Ingleside District;
- (b) As a police officer, Officer Tong (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (c) On or about September 5, 1985, the accused and Officer Michael J. Niland, Star No. 553, while assigned to the Patrol Bureau Task Force, stopped a suspect for allegedly smoking a marijuana cigarette;
- (d) The suspect was handcuffed by the accused and Officer Niland. While the suspect was handcuffed and talking with the accused and Officer Niland, Officer Niland struck the suspect in the face with his fist;
- (e) Two citizens observed Officer Niland strike the suspect in the face and approached the area and inquired as to what the three men were doing. The accused identified himself as a police officer, however, the accused intimidated the two citizens, then ran a criminal information check of the two individuals when they stayed to observe the actions of the accused and Officer Niland;



- (f) The accused, by intimidating and by running a criminal information check of two citizens who were observing his police actions, has engaged in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

Failure to provide name, star number and assignment when requested by a citizen (violation of Rule A-14 of General Order D-1 of the San Francisco Police Department).

- (a) The allegations contained in paragraphs (a) through (f) of Specification No. 1 are hereby incorporated by reference as if fully set forth herein;
- (b) The two citizens asked the accused to provide his name and badge number. The accused responded by flashing his badge at the citizens and stating that they could easily find his name by his star number;
- (c) The accused, by failing to provide his name, star number and assignment in a polite manner when requested by a citizen, has engaged in conduct which constitutes a violation of Rule A-14 of General Order D-1 of the San Francisco Police Department which states:

"Members shall, in the performance of their duties or while acting in the capacity of a peace officer off-duty, treat all members of the public with courtesy and respect and eschew harsh, profane, or uncivil language. When requested, members shall promptly and politely provide their name, star number, and assignment."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, September 11, 1986, and on Thursday, September 11, 1986, the matter was submitted to the Police Commission for decision; and





WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-14 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Richard Tong are sustained; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Commission orders that for said violations, Officer Richard Tong shall be suspended for forty-five (45) calendar days; and be it further

RESOLVED, that said suspension totaling forty-five (45) calendar days is to be imposed commencing Friday, September 12, 1986 at 0001 hours and ending Sunday, October 26, 1986 at 2400 hours; and be it further

RESOLVED, that upon return to duty Officer Tong is ordered to participate in two weeks training at the Police Academy pertaining to the San Francisco Police Department's Rules and Procedures, especially the areas regarding proper arrest techniques, and he is to also comply with all orders which the Chief of Police may impose.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Recesses taken during the hearing of Officer Richard D. Tong:

8:00 p.m. to 8:09 p.m.  
9:05 p.m. to 9:24 p.m.  
9:27 p.m. to 9:35 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING OF POLICE OFFICER MICHAEL J. NILAND,  
INGLESIDE STATION

The hearing of Police Officer Michael J. Niland, Ingleside Station, was called it having been set for this date. Police Officer Michael J. Niland was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.



- (a) At all times herein mentioned, Michael J. Niland, Star No. 553, was and is a police officer employed by the San Francisco Police Department. Officer Niland was assigned to the Patrol Bureau Task Force. He is currently assigned to the Golden Gate Division - Ingleside District;
- (b) As a police officer, Officer Niland (hereinafter the accused) was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (c) On or about September 5, 1985, the accused and Officer Richard D. Tong, Star No. 2110, while assigned to the Patrol Bureau Task Force, stopped a suspect for allegedly smoking a marijuana cigarette;
- (d) The suspect was handcuffed by the accused and Officer Tong. While the suspect was handcuffed and talking with the accused and Officer Tong, the accused struck the suspect in the face with his fist;
- (e) By striking a handcuffed suspect in the face, the accused has engaged in conduct which tends to subvert the good order, efficiency, or discipline of the Department and which reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, September 11, 1986, and on Thursday, September 11, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Michael J. Niland are sustained; therefore be it





Police Officer Michael J. Niland appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. Casimir Wilson for the Defense.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Thomas Prestwich, #1 Market Plaza  
San Francisco, CA.

Mr. Tom Feldstein, #1 Market Plaza  
San Francisco, CA

Mr. Ralph Aharra, #1 Embarcadero, YMCA  
San Francisco, CA

The following named witnesses appeared for the Defense, were sworn and testified:

Officer Michael J. Niland, Company G  
Officer Richard D. Tong, Company G

The following exhibit was entered into evidence by the Defense:

Exhibit A Incident Report #850955251, 09/05/85  
by  
Officer Michael Niland

Closing statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Specification No. 1 is sustained.

Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Officer Michael J. Niland be suspended for 45 days.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 904-86

DECISION - HEARING OF POLICE OFFICER MICHAEL J. NILAND, INGLESIDE STATION

WHEREAS, on May 8, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Michael J. Niland as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);





RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Commission orders that for said violations, Officer Michael J. Niland shall be suspended for forty-five (45) calendar days; and be it further

RESOLVED, that said suspension totaling forty-five (45) calendar days is to be imposed commencing Friday, September 12, 1986 at 0001 hours and ending Sunday, October 26, 1986 at 2400 hours; and be it further

RESOLVED, that upon return to duty Officer Niland is ordered to participate in two weeks training at the Police Academy pertaining to the San Francisco Police Department's Rules and Procedures, especially the areas regarding proper arrest techniques, and he is to also comply with all orders which the Chief of Police may impose.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Recesses taken during the hearing of Officer Richard D. Tong:

8:00 p.m. to 8:09 p.m.

9:05 p.m. to 9:24 p.m.

9:27 p.m. to 9:35 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

#### RESOLUTION NO. 899-86

#### REQUEST OF THE CHIEF OF POLICE FOR IMMEDIATE FILLING OF POSITION VACATED BY RETIREMENT

WHEREAS, one member of the San Francisco Police Department will retire from the rank of Q-80 Captain of Police on September 14, 1986; and

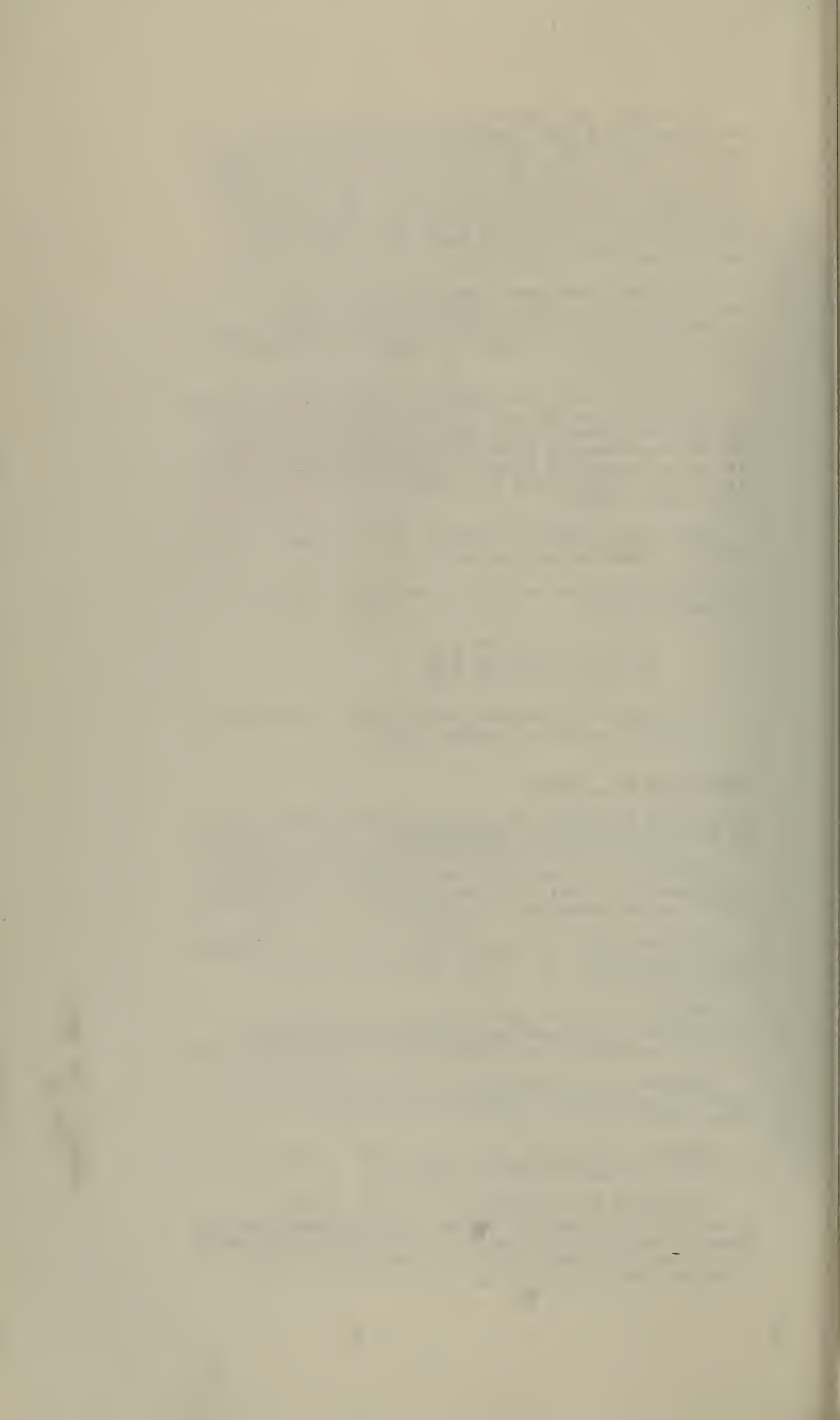
WHEREAS, this retirement will leave a severe gap in the management of the San Francisco Police Department; and

WHEREAS, to fill this position before the accumulated sick leave and vacation time is paid requires a resolution of the Board of Supervisors; and

WHEREAS, this procedure is authorized by the Annual Appropriation Ordinance, Section 10, Subsection I; and

WHEREAS, there are sufficient funds appropriated to cover the cost of this procedure,

THEREFORE BE IT RESOLVED, that the Police Commission does hereby request that the Mayor and the General Manager, Personnel of Civil Service recommend to the Board of Supervisors the adoption of the attached resolution; and



FURTHERMORE BE IT RESOLVED that The Police Commission requests that the Board of Supervisors adopt the attached resolution authorizing the immediate filling of one vacancy in the rank of Q-80 Captain of Police.

AYES: Commissioners Owens, Giraudo, Nelder, Sanchez  
ABSENT: Commission Davis

RESOLUTION NO. 905-86

TEMPORARY ADOPTION OF TOWAWAY ZONE TO ALLEVIATE  
SEVERE WEEKEND TRAFFIC CONGESTION IN THE BROADWAY  
AREA

WHEREAS, a serious traffic problem exists on weekend evenings in the Broadway area because of the parking of automobiles on Broadway; and

WHEREAS, it is necessary to allow for emergency vehicles to travel on Broadway in order to render assistance; and


WHEREAS, public safety will be enhanced and traffic congestion will be alleviated only if corrective measures are undertaken; therefore be it

RESOLVED, that by the authority granted to the Police Commission pursuant to 33(a), the following temporary emergency prohibitions are hereby instituted and shall become effective upon the Department of Public Works posting appropriate signs giving notice of such prohibitions and should remain in effect until December 31, 1986:

No parking (towaway) shall be allowed between the hours of 9:00 p.m. on Friday and 4:00 a.m. on the following Saturday and the hours of 9:00 p.m. on Saturday and 4:00 a.m. on the following Sunday on the 400 and 500 blocks of Broadway Street.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

The meeting, thereafter, was adjourned at 10:00 PM.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





[MINUTES]

SEPTEMBER 18, 1986

REGULAR MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 18, 1986 at 1730 hours at a Regular Meeting.

AYES: Commissioners Sanchez, Nelder, Owens  
ABSENT: Commissioners Giraudo, Davis

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

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SAN FRANCISCO  
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APPROVAL OF MINUTES OF MEETING OF JULY 31, 1986

Approval of Minutes of Meeting of July 31, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City & County of San Francisco:

RESOLUTION NO. 958-86

STANLEY WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stanley Williams in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 959-86

CECILIA HERRERA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cecilia Herrera in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 10, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 960-86

ELIZABETH A. KAMIENIECKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth A. Kamieniecki in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo



RESOLUTION NO. 966-86

DARLENE TAMURA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darlene Tamura in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 967-86

TED SELF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ted Self in the sum of \$46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 2, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 968-86

JEROME LARRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerome Larry in the sum of \$37.00 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: March 24, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 969-86

ABC TOWING (JOHN CURTIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (John Curtis) in the sum of \$34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 28, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 970-86

JOHN WILLIAM SEARS, Jr.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John William Sears, Jr. in the sum of \$33.00 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: March 25, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo





## POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met this afternoon in Closed Session in accordance with the Brown Act in an Attorney Client Conference and no vote was taken.

## CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had one item and it is an update on the traffic congestion in the downtown area with the trucks and double parking. He said starting on this past Monday, the Department had 9 solos and one Sergeant, all motorcycle officers, saturating the downtown areas particularly around Union Square, Post, Sutter, Stockton and Powell, looking for double parked trucks. He said they have been giving out, since Monday from 10 AM to 6 PM, at least over 200 citations every day this week and seems to be making some progress in terms of reducing the congestion and opening up arteries for traffic flow. He said, also, in addition, they are also going to be coming on line with a press release tomorrow about yellow zones, strictly truck loading zones, in the downtown area. He said anyone who parks there, first the regular vehicles, can be towed out immediately and then any commercial vehicle that stays past the normal time can also be towed out to open up traffic lanes for trucks that could be regularly parked. He said they will be towed out on the basis of a hazard because the hazard would be created out on the streets by the double parkers. He said this will go on line starting Monday.

## POLICE COMMISSION DISCUSSION AND POSSIBLE DECISION ON THE PROPOSED AMENDMENTS TO THE OFFICE OF CITIZEN COMPLAINTS INVESTIGATIVE HEARING RULES

Commissioner Sanchez said that on this item there has been a number of discussions with representatives of Staff and the City Attorney's Office since there was a change of command in that Office with the untimely death of the last City Attorney. He continued by saying that at this point the Commission would like to request in writing some policy options pertaining to procedures in question regarding the OCC matter that has been on calendar for the part two mounts. He said the Commission would like to have these matters brought back in writing to the Commission in three weeks so that it may be scheduled thereafter for Public Hearing.

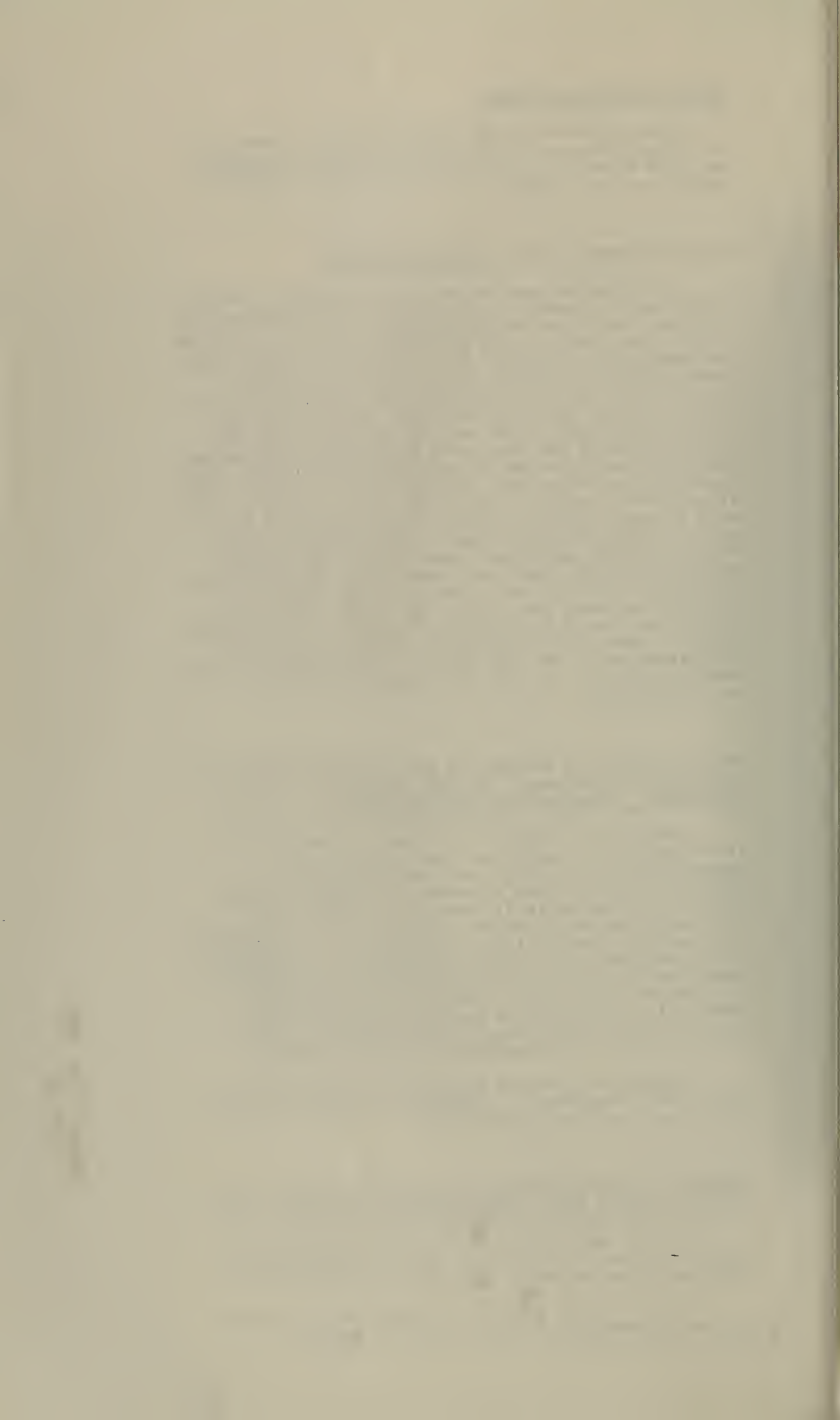
Commissioner Nelder said he would move for a three week continuance. Commissioner Owens seconded and it was unanimously approved.

## HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER RICHARD WOO, COMMUNICATIONS DIVISION

The hearing of Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of July 24, 1986.

Police Officer Richard Woo appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.





Chief Jordan said both horses have been checked, they are both quarter horses which are the type that the Department desires for use and they can be used as soon as they are trained. Commissioner Owens said she would make a motion to accept the donation of the horses. Commissioner Nelder seconded and it was unanimously approved.



RESOLUTION NO. 957-86

WHEREAS, Mr. Dan Hountalas has expressed a desire to donate two quarter horses to the Police Department's Mounted Unit, and

WHEREAS, this civic-minded gesture will provide needed assistance in the protection of life and property in the City and County of San Francisco, and

WHEREAS, the two horses, one named "Cliff, a seven-year old gelding, and the other as yet unnamed nine-year old, have been certified by the Department Veterinarian as fit for police duty, and

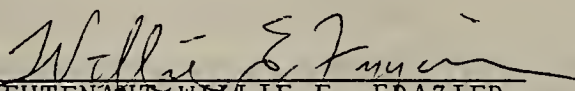
WHEREAS, Section 10.116 of the San Francisco Administrative Code permits the acceptance of gifts by Department Head of those gifts valued at five thousand dollars (\$5,000) or less, and

WHEREAS, the value of each horse to be donated by Mr. Hountalas is approximately fifteen hundred dollars (\$1,500), now, therefore be it

RESOLVED, that the Police Commission hereby authorizes the Chief of Police to accept on behalf of the San Francisco Police Department, the gift of two quarter horses from Mr. Dan Hountalas.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

The meeting, thereafter, was adjourned.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





86  
al  
[MINUTES]

SEPTEMBER 25, 1986

286-9  
SPECIAL MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 25, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

DOCUMENTS DEPT.

PRESENT: Commissioners Nelder, Owens, Sanchez

NOV 18 1986

ABSENT: Commissioners Davis, Giraudo

SAN FRANCISCO  
PUBLIC LIBRARY

Commissioner Sanchez presiding.

SEPTEMBER 25, 1986

REGULAR MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 25, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Nelder, Owens, Sanchez

ABSENT: Commissioners Giraudo

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF AUGUST 7, 1986

Approval of minutes of meeting of August 7, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 973-86

JOHN JOHNSON vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the Court order requiring interest in the amount of \$2,500.00 in the settlement of the case of John Johnson vs. City and County of San Francisco, et al in the principal amount of \$50,000.00 (Resolution No. 468-86) in Superior Court No. 796-213 is hereby approved.

AYES: Commissioners Davis, Nelder, Owens, Sanchez

ABSENT: Commissioner Giraudo

RESOLUTION NO. 974-86

ELMER ASIS PASCUA vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Elmer Asis Pascua in Superior Court No. 780-194 entitled "Elmer Asis Pascua vs. City and County of San Francisco, Dan Gardner and James Paul Zerger" for damages sustained, be, and the same is hereby approved.

AYES: Commissioners Davis, Nelder, Owens, Sanchez

ABSENT: Commissioner Giraudo



RESOLUTION NO. 975-86

JOSEPH A. CORPORA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph A. Corpora in the sum of \$1,600.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 23, 1985

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 976-86

CALIFORNIA STATE AUTO ASSOCIATION (CORINNE CHO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Auto Association (Insured: Corinne Cho) in the sum of \$1,117.80 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 9, 1984

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 977-86

VALERIE AKEMI SAKURAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Valerie Akemi Sakurai in the sum of \$1,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 9, 1985

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 978-86

MANJALA D. GOVENDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Manjala D. Govender in the sum of \$173.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 979-86

SYLVIA PERRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sylvia Perry in the sum of \$133.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 980-86

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of \$122.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 981-86

THERESA BRIGGS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Theresa Briggs in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 982-86

ABC TOWING (ROLANDO R. ALFONSO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Rolando R. Alfonso) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 983-86

ABC TOWING (MARK MACAULAY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mark Macaulay) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986





AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 984-86

ABC TOWING (MARY GORDON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mary Gordon) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 1, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 985-86

RUBY EUGENE MOORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruby Eugene Moore in the sum of \$72.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 986-86

NORMAN COWARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman Coward in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 987-86

ANNE E. PARKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne E. Parker in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 13, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 988-86

AARON WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aaron Wilson in the sum of \$64.75 as the result of a faulty tow, be, and the sum is hereby approved.

Date of Incident: May 17-19, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 989-86

KELLY W. CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kelly W. Chan in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident August 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 990-86

BARBARA BARNARD ATKINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Barnard Atkinson in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 991-86

ABC TOWING (CELESTE SCRIPPS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Celeste Scripps) in the sum of \$63.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 992-86

ANET DUNNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anet Dunne in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 993-86

STEVEN M. ESSIG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven M. Essig in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 31, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 994-86

VERLYN JAMES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Verlyn James in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 995-86

STEPHEN J. KASTEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen J. Kastel in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 21, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 996-86

ANGELA PITTMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Angela Pittman in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 29, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 997-86

DIANA DUNKELIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diana Dunkelis in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 18, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 998-86

ELLEN BYRNES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen Byrnes in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 13, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 999-86

MELANIE J. INGEBRETSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melanie J. Ingebretsen in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1000-86

ROBERT ANTHONY KOVACICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Anthony Kovacich in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 21, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1001-86

WILLIAM R. REEDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William R. Reeder in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1002-86

STEVEN McCALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven McCall in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 14, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 1003-86

JAMES A. PARKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James A. Parker in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1004-86

AMY R. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Amy R. Wilson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1005-86

MARY ANN V. LANOZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Ann V. Lanoza in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1006-86

BRENT ANTHONY WHEELER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brent Anthony Wheeler in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1007-86

CHARLES M. TANIGUCHI, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles M. Taniguchi, Jr. in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo





RESOLUTION NO. 1008-86

SHAWN D. FULLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shawn D. Fuller in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1009-86

PHILLIP A. SHERIDAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Phillip A. Sheridan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1010-86

JUDITH P. HANSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith P. Hanson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 17, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1011-86

ROBERT J. COTTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert J. Cotter in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 31, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1012-86

JOHN M. JANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John M. Jang in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 1013-86

ABC TOWING (RAUL FERNANDEZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Raul Fernandez) in the sum of \$34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1014-86

GERALDINE ALLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Geraldine Allen in the sum of \$11.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 5, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this afternoon in an Attorney Client Conference in accordance with the Brown Act and no vote was taken. He then said he would like to, on behalf of the Police Commission and many other Officials of the City and County of San Francisco, California and Washington D.C. he wished to thank the men and women of the San Francisco Police Department particularly those of the Intelligence Division, Solo/Motorcycle and other VIP Units who provided almost continuous security in collaboration with other related agencies pertaining to the visit of Philippine President Cory Aquino. He said she indicated that she and her Staff were very impressed and very awed by the quality of the Department's and other police services in a free democratic society. He said he would request that Chief Jordan pass this information to the members in an information bulletin to be circulated throught out the Department.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said the item he has can be combined with an extra added one which is item #8, Public Hearing on Revision of Department General Order F-2 "Response and Pursuit Driving Procedures", where the Department is dealing with a G.O. that goes out in the Police Department but now they are looking at any kind of orders where they might be able to augment them with visual information before they send it out and in this particular case it is dealing with response and pursuit driving procedures. He then introduced Sergeant Matthew Perez, the video operator, to show the Commission a video of 7 or 8 minute duration to demonstrate how the General Orders will now be augmented with visual information to help and better understand exactly how the procedures are.





The Commissioners, after viewing the video of the Order, said because of the fact they had just received the writtten portion they would vote to continue it one week. Commissioner Nelder so moved, seconded by Commissioner Owens and unanimously approved.

HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF  
POLICE OFFICER MICHAEL JAMISON, SOUTHERN STATION

The hearing of the appeal of the Chief's suspension of Police Officer Michael D. Jamison, Southern Station, was called it having been set for this date.

Officer Michael D. Jamison appeared in person and was represented by Sergeant Paul C. Chignell, Member, Board of Directors, Police Officers' Association, and Mr. Dave Clisham, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael Gash for the Prosecution.

Opening statements were made by Sergeant Paul C. Chignell and Mr. Dave Clisham for the Defense.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Theresa McPeters, 1658 Scott Street,  
San Francisco, CA  
Marissa Datrice, 1170 Hollister, San Francisco, CA

The following named witnesses appeared for the Defense, were sworn and testified:

Lt. Gregory Corrales, San Francisco General  
Hospital, Liaison Lieutenant  
Sgt. Billye E. Morrow, Fraud  
Lt. Dennis Schardt, Company B  
Officer Michael D. Jamison, Company B

Closing statements were made by Mr. Michael Gash and Sergeant Paul Chignell.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 972-86

DECISION - HEARING ON THE APPEAL OF THE CHIEF'S  
SUSPENSION OF OFFICER MICHAEL D. JAMISON, SOUTHERN  
STATION

RESOLVED, that it is the decision of the Commission that the Chief's suspensions of Officer Michael D. Jamison, ten (10) working days, two (2) days to be imposed and the remainder held in abeyance for one year for the first violation, and for the second violation, a ten (10) working days suspension, seven (7) days to be imposed, and the remainder to be held in abeyance for one year, are sustained.



Recesses taken during the hearing of Officer  
Michael Jamison:

6:56 p.m. to 7:08 p.m.

8:20 p.m. to 8:40 p.m.


(The entire proceedings were taken in shorthand  
form by Ms Linda Pransky.)

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL  
ORDER F-2 "RESPONSE AND PURSUIT DRIVING PROCEDURES

Continued one week.

The meeting, thereafter, was adjourned at 9:00 pm.

  
\_\_\_\_\_  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



*Minutes*  
OCTOBER 2, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 2, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

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OCTOBER 2, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 2, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis, Giraudo

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF AUGUST 14, 1986

Approval of minutes of meeting of August 14, 1986, the Commissioners having received, approved and returned copies of the same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1022-86

CHARLES A. BARBERINI, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Charles A. Barberini, Kevin L. Barberini, Charles W. Barberini and John A. Baxter vs. City and County of San Francisco, et al in Superior Court action No. 816-520 and related cross-action in Superior Court No. 821-903, files by Police Officers Nelson Lum, William Cooke and Alfred Trigueiro, consolidated by the court, is hereby approved.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1023-86

WENDY D. NEMEROFF

RESOLVED, that the recommendation of the City Attorney for settlement of the unlitigated claim of Wendy D. Nemeroff vs. City and County of San Francisco, et al in the sum of \$9,000.00 as the result of damages sustained be, and the same is hereby approved.

Date of Incident: November 16, 1985





AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1024-86

BETTY AND CORINNE CHO vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, That the recommendation of the City Attorney for settlement of the litigation of Betty Cho and Corinne Cho in the amount of \$8,100.00 in Superior Court No. 887-375 entitled "Betty Cho and Corinne Cho vs. City and County of San Francisco, et al" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 9, 1984

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1025-86

ALICIA SALAS, JOSE SALAS, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Alicia and Jose Salas in the sum of \$5,000.00 in Superior Court No. 810-115 entitled Alicia Salas, individually and as Guardian and Litem of Jesus Salas, Juan Salas, Ricardo Salas and Reyna Salas, minors; and Jose Salas, individually vs. City and County of San Francisco, a governmental entity, and DOES I through XX, inclusive" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 21, 1982

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1026-86

MISAEAL G. AGUIRRE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Misael G. Aguirre in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1027-86

MARSHA GONZALES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marsha Gonzales in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo



RESOLUTION NO. 1028-86

PEARL G. ONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pearl G. Ong in the sum of \$63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 27, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1029-86

DANA SCHNEIDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dana Schneider in the sum of \$56.70 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 13, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1030-86

CHRISTINE AUDREY NEIL JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine Audrey Neil Johnson in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1031-86

GILBERT MALDONADO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilbert Maldonado in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1032-86

PETER H. T. CHEN

RESOLVED, that the recommendation of the City Attorney for settlements of the claim of Peter H. T. Chen in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo





RESOLUTION NO. 1033-86

DENNIS D. HIGGS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis D. Higgs in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1034-86

CHRIS GRAVEM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris Gravam in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1035-86

JULIE Y. MARK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julie Y. Mark in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1986

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this afternoon under the Brown Act pertaining to an Attorney Client Conference and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had no report for the Commission tonight.

REVISED DEPARTMENT GENERAL ORDER F-2, "RESPONSE AND PURSUIT DRIVING PROCEDURES"

Commissioner Nelder said that he had read the order and would make the motion for approval but the only thought he had was that on page 3 under E, the Department might consider giving Communications or the Commanding Officer authorizations to approve another vehicle to join the pursuit.



He said that is the two units coming in from the outside and the word is may, one vehicle from the San Francisco Police Department may and I wondered if you should not give the authorization to Communication and/or the Commanding Officer because this would be an outside unit that would need help at some point once an apprehension is made or if it is not made, so, he said he would move approval and perhaps Deputy Chief Casey could take a look at that.

Commissioner Owens then seconded Commissioner Nelder's motion and it was unanimously approved.

RESOLUTION NO. 1015-86

RESOLVED, that the Police Commission hereby approves the revision of Department General Order F-2, "Response and Pursuit Driving Procedures".

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1016-86

REVISED DEPARTMENT GENERAL ORDER I-12, "HAZARDOUS MATERIAL INCIDENT"

RESOLVED, that the Police Commission hereby approves the revision of Department General Order I-12, "Hazardous Material Incident".

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1017-86

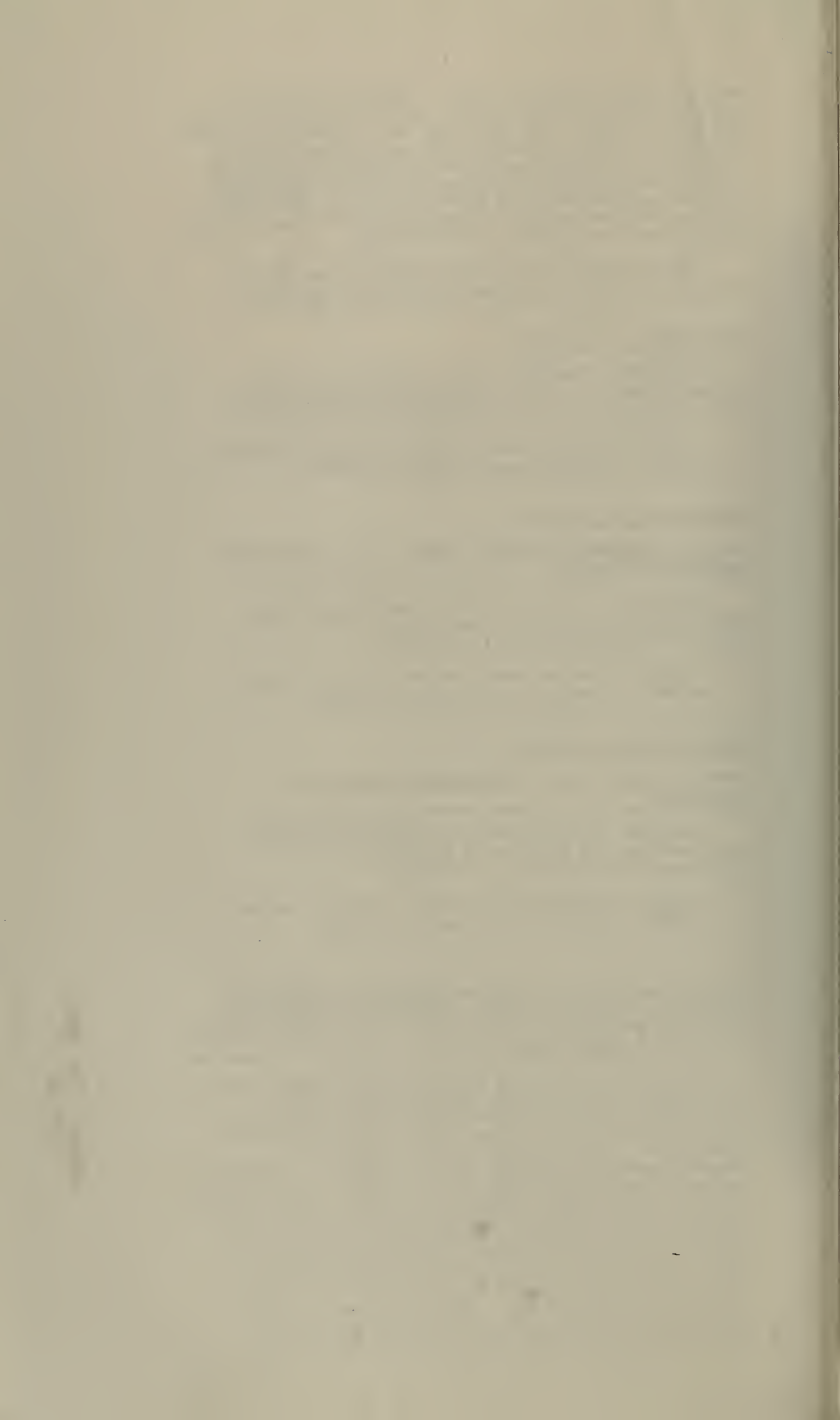
GENERAL ORDER D-15, "PERFORMANCE EVALUATION - SERGEANT"

RESOLVED, that the Police Commission hereby approves the new Department General Order D-15, "Performance Evaluation - Sergeant".

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

POLICE COMMISSION DISCUSSION REGARDING PETITION OF RESIDENTS, BUSINESS OWNERS, EMPLOYEES, SHOPPERS AND VISITORS REQUESTING REPLACEMENT OF FOOT-BEAT OFFICER IN THE POLK-GEARY AREA

Ms. Mary Ellen Smith addressed the Commission on this subject and said she represents an Ad Hoc Committee which has gathered some 900 signatures on this petition which is now being presented to the Commission. She said she wanted to thank the Commissioners for hearing them so quickly. She said basically what their complaint is about is that their Beat Cop, Joe Arone, transferred after 7 years in the District to the Warrant Bureau and has not been replaced. She said if the Commission looks at the Chart that the petitioners drew up outlining the areas of concern it would be noted that there is heavy police presence in the Polk Street precinct to the north of their area. She continued by saying that there is heavy police presence in the Civic Center precinct to the south of them and there is sporadic, none, or little policing in their area.





She said as a result of the heavy police presence in those areas outlined drives the bad guys down into their area and this has been happening steadily for three months. She said specifically what they want is a full time Beat Cop in their area just like Joe Arone which involves no increase in manpower and no increase in budget.

Other speakers were: Mr. Larry Aldrich, 536 Leavenworth Street, Mr. Robert Cobb, Senior Escort Service, Ms. Ruth Darter, Mr. Nate Ratner who presented written materials and newspaper articles citing the plight of the neighborhood with its multiple problems, Ms. Pat Darden, President of the Polk Street Merchants Association, who read several letters complaining of the conditions the area has been going through without proper police presence, Ms. Michelle Florida, who said she was representing two store fronts on Polk Street, Ms. Betty White, Ms. Maureen O'Rourke, Polk Street Merchants Association.

Ms. Smith in summing up said that they were very grateful for the number of persons who showed up at tonight's meeting, however, she said they would like to publicize one point and that is they want a beat cop in precinct 42. She said that is a very simple sentence and it is a very simple thing to be done. She said they had an excellent beat cop in Joe Arone for seven years and perhaps the area was spoiled. She said one beat cop was better than two beat cops. Two beat cops, she said, talk to each other, one beat cop talks to the neighborhood. She implored the Commission to use its power to direct Captain Tom O'Donnell, Commanding Officer of the Northern District to get the area a beat cop immediately.

Captain Tom O'Donnell, Commanding Officer of Northern Police Station said that he agreed with the Chief and the Commission in that this is a very complex problem that does not lend itself to an easy solution. He said within the last 12 months there has been a reduction in the staffing of officers at northern station for a variety of reasons. He said those included promotions, transfers and there has been no academy class until the one that just started last month. He said as a result of this he is approximately 25 officers short from the number he had a year ago

Captain O'Donnell also said within the past 10 days since this matter was brought to his attention the beat has been staffed daily, both on the day watch and swing watch. The Captain said that there are over 700 arrest made per month by the men and women of the Northern Station. However, he said, a lot of those arrest are for panhandling or drunks and the arrest and convictions when reviewed or prosecutions of the District Attorney's Office for these crimes such as begging and drunk it was found that not one was prosecuted by the District Attorney's Office and as a result it becomes a little bit of a turnstile.

Commissioner Nelder said he wanted to say that he has watched Captain O'Donnell's work over the years and he finds it to be exemplary. He said the Captain is a very hard working and conscientious and a credit to law enforcement. He continued by saying that out of this hearing has come some things that can be done.





He said that based on testimony from this hearing the Commission can send a letter to the District Attorney asking him to prosecute those cases which involve panhandling which says that soliciting arms as a business is a misdemeanor so consequently it can be prosecuted and he felt that the Administration should request that the District Attorney prosecute those persons that harass people walking down the street and impede their progress and so forth. He said so he felt that the persons here and the Chief and the Commission should join together in sending a letter to the District Attorney and asking him to take proper action against them if in fact they are soliciting as described this evening. He said this problem has been festering a long time and the Commission should meet at least once a month to find out whether or not the Department is moving in the right direction. On motion by Commissioner Nelder and seconded by Commissioner Owens, the matter was continued to November 13, 1986.

RESOLUTION NO. 1018-86

HEARING OF POLICE OFFICER HARUKI MASTERS, POTRERO STATION

WHEREAS, the date for the hearing of disciplinary charges filed against Police Officer Haruki Masters, Potrero Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Haruki Masters be set for October 23, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Haruki Masters, Potrero Station, is set for Thursday, October 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1019-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER EDDIE L. COLEY, INGLESIDE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Eddie L. Coley, Ingleside Station, as follows:

CHARGE NO. 1

Drawing and discharging a Department issued firearm while off-duty with no valid police purpose (violation of Rules II-B and III of General Order F-1 of the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).



by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Ingleside Station, is scheduled for Thursday, October 9, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1020-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DEBORAH E. FRANKS, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Deborah E. Franks, Potrero Station, as follows:

SPECIFICATION NO. 1

Failure to take appropriate action when a serious crime or offense occurs in an officer's presence (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to make a report to a commanding officer of a serious crime (violation of Rule A-26A of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to answer questions truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Deborah E. Franks, Potrero Station, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

RESOLUTION NO. 1021-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE INSPECTOR THOMAS M. MAZZUCCO, INVESTIGATIONS BUREAU/JUVENILE SECTION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Inspector Thomas M. Mazzucco, INvestigations Bureau, Juvenile Section, as follows:





CHARGE NO. 1

Possessing or using controlled substances as defined under the California Uniform Controlled Substances Act without a valid prescription (violation of Rule IV, Subsection C, of General Order D-4 of the San Francisco Police Department);

CHARGE NO. 2

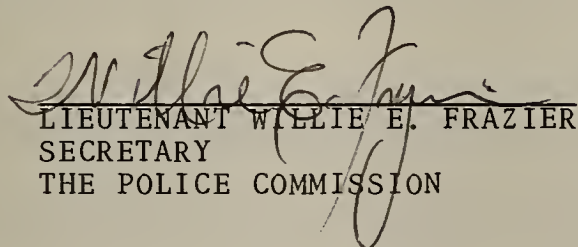
Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section is scheduled for Thursday, October 9, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Sanchez

The meeting, thereafter, was adjourned at 7:40 p.m.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



[MINUTES]

OCTOBER 9, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 9, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

DEC 9 1986

OCTOBER 9, 1986

REGULAR MEETING

SAN FRANCISCO  
PUBLIC LIBRARY

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 9, 1986 at 1730 hours on a Regular Meeting.

Commissioner Sanchez presiding.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

APPROVAL OF MINUTES OF MEETING OF AUGUST 21, 1986

Approval of minutes of meeting of August 21, 1986, the Commissioners having received, approved and returned copies of the same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1047-86

SAMEH AMAWI vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the settlement of judgment awarded to Sameh Amawi in the sum of 47,196.78 in Superior Court No. 801-377 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: On or about March 6, 1982

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1048-86

KAREN BRYSON KHWAJA vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the settlement of judgment awarded to Karen Bryson Khwaja in the sum of \$2,500.00 in Superior Court No. 836-871 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: On or about August 31, 1984

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 1049-86

PRAVEEN SHANKAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Praveen Shankar in the sum of \$2,115.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 27, 1985

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1050-86

ELIZABETH MIDDLEBROOKS vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the settlement of judgment awarded to Elizabeth Middlebrooks in the sum of \$1,000.00 in Court of Appeals No. A033045, Superior Court No. 799-163, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 20, 1981

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1051-86

DIANNE CORMIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dianne Cormier in the sum of \$133.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 16-23, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1052-86

CURTIS MORTIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curtis Mortis in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1053-86

FREDERICK VOPATEK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frederick Vopatek in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.





Date of Incident: August 28, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1054-86

ABC TOWING (ANNETTE ALEXANDER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Annette Alexander) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 23, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1055-86

DONALD LAWSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Lawson in the sum of \$80.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1056-86

TRACY ZERIW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tracy Zeriw in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1057-86

DANIEL J. ROSENBERGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel J. Rosenberger in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 1058-86

CHARLES E. SOLARI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles E. Solari in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1059-86

PATRICIA LOUISE DUNN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Louise Dunn in the sum of \$63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1060-86

MARK D. McLOUGHLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark D. McLoughlin in the sum of \$56.70 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: commissioner Davis

RESOLUTION NO. 1061-86

JOHN SABLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Sable in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 13, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1062-86

TERRI DiSALVO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terri DiSalvo in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RESOLUTION NO. 1063-86

JERRIE S. GUTMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerrie S. Gutman in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1064-86

DONNA H. VAUGHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donna H. Vaughan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1065-86

ROBERT E. DOUGLAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert E. Douglas in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1066-86

GLORIA RADER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gloria Rader in the sum of \$53.25 as the result of faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1067-86

CRISTINA R. PARDINAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cristina R. Pardinas in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis



RESOLUTION NO. 1068-86

ABC TOWING (CYNTHIA M. JOHNSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Cynthia M. Johnson) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 7, 1986

AYES: Commissioner Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1069-86

ABC TOWING (LAURA L. FROMAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Laura L. Froman) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1070-86

LESLEY CUNNINGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lesley Cunningham in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 11, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1071-86

BRIAN KENDALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Kendall in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1072-86

HOR SUK KOO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hor Suk Koo in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: August 24, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1073-86

DOUGLAS R. SHARPE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Douglas R. Sharpe in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 7, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1074-86

MARIO CALDERA-CASTILLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mario Caldera-Castillo in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1075-86

JAMES M. POZAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James M. Pozar in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1076-86

ERIC ROOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eric Roos in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1077-86

ROBIN STOKES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robin Stokes in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.





Date of Incident: August 16, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1078-86

PHILIP JOSUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Philip Josue in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1986

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this afternoon under the Brown Act pertaining to an Attorney Client Conference and no vote was taken.

In addition Mr. Jerry Steinman of All American Advertising Specialties Co. Inc. addressed the Commission on the subject of the feasibility of providing a paper weight of solid brass with the Officer's Star embedded that would be given out to each Officer who honorably retires from the City's Police Service. The Commission, after listening to Mr. Steinman, thanked him for his presentation and advised him to follow-up with his proposal through the Department's Planning and Research Division.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he just wanted to give the Commission an update on the downtown enforcement plan. He said it has been about 3 weeks since the commencement of this operation. He said the first week there were about 1,828 citations given out for various parking violations. He said the second week the number went up to 1,956 and the third week which has just been completed has got to 2,046 so it is hoped that people will start to realize that there is ample enforcement there and that they should be complying with the laws. He said the other part of the traffic matter is that the Department is also very conscientious about the red light citations being issued around the City. He said based on the traffic surveys this violation is the most dangerous as far as pedestrian injuries and vehicle accidents. He said the Traffic Bureau gave out 318 citations for this violation and the Field Operations Bureau and/or the Patrol Force gave out 153. He said so there is ample enforcement and it is hopeful it is bringing about positive results. He said the downtown businesses are responding in that they are happy to see that the downtown corridors are opening up and it is much better with far less double parking and people obeying the yellow zones.



RESOLUTION NO. 1042-86

REVISED GENERAL ORDER C-5, "MOTOR VEHICLE FUEL AND OIL DISTRIBUTION"

RESOLVED, that the Police Commission hereby approves the revision of Department General Order C-5, "Motor Vehicle Fuel and Oil Distribution".

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE LIMOUSINE PERMIT #L-18 AND MOTORIZED RICKSHAW PERMITS MR-1, MR-2 AND MR-3 HELD BY MR. EDMUND JUNG AND DENIAL OF HIS SUSPENSION OF OPERATION REQUEST

Continued to November 20, 1986.

RESOLUTION NO. 1043-86

SETTING OF DATE OF HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Stephen M. Tittel be set for November 20, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, is set for Thursday, November 20, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1044-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER EDDIE L. COLEY, INGLESIDE STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Ingleside Station, was called it having been scheduled for this date; and

WHEREAS, it was request by Mr. Dave Clisham, Attorney at Law, representing Police Officer Eddie L. Coley, that the date for the hearing of the disciplinary charges filed against Officer Eddie L. Coley be set for December 4, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Eddie L. Coley, Ingleside Station, is set for Thursday, December 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

Received of the Treasurer of the  
Board of Directors of the  
City of New York

the sum of \$100.00

for the purchase of

one hundred shares of

the stock of the

City of New York

at the rate of \$1.00 per share

and the sum of \$100.00

for the purchase of

one hundred shares of

the stock of the

City of New York

at the rate of \$1.00 per share

and the sum of \$100.00

for the purchase of

one hundred shares of

the stock of the

City of New York



RESOLUTION NO. 1045-86

SETTING OF DATE FOR HEARING OF POLICE INSPECTOR  
THOMAS M. MAZZUCCO, INVESTIGATIONS BUREAU/JUVENILE  
SECTION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Dave Clisham, Attorney at Law, representing Inspector Thomas M. Mazzucco, that the date for the hearing of the disciplinary charges filed against Inspector Thomas M. Mazzucco be set for November 13, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section, is set for Thursday, November 13, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1046-86

STATUS REPORT ON POLICE OFFICER LARRY MURDOCK,  
MISSION STATION

WHEREAS, the status report of Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Lieutenant Thomas Murphy, Personnel Division, that the date for the status report on Officer Larry Murdock be continued to October 23, 1986; therefore be it

RESOLVED, that the status report on Police Officer Larry Murdock, Mission Station, is set for Thursday, October 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

HEARING OF POLICE OFFICER RICHARD WOO, COMMUNICATIONS  
DIVISION

The hearing of Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of September 18, 1986.

Police Officer Richard Woo appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Robert Fife, Traffic Division  
Sergeant Norbert Gutierrez, Company A



After listening to testimony from the above parties, the matter was continued to Thursday, November 6, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

Recesses taken during the hearing of Officer Richard Woo:

6:55 p.m. to 7:07 p.m.  
8:00 p.m. to 8:09 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

RESOLUTION NO. 1036-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER ARLENE GEORGE, WARRANT BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Arlene George, Warrant Bureau, as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Arlene George, Warrant Bureau, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1037-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER WILLIAM H. SCOTT, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer William H. Scott, Central Station, as follows:

CHARGE NO. 1

Failure to perform duties according to Department rules (violation of Rule A-5 General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to provide for the security and safety of a prisoner (violation of Rule A-37 of General Order D-1 of the San Francisco Police Department);





CHARGE NO. 3

Engaging in conduct which subverts the good order, discipline and efficiency of the Department, and which reflects discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 4

Engaging in conduct which subverts the good order, discipline and efficiency of the Department, and which reflects discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 5

Failure to make a report of a crime brought to his attention (violation of Rule A-12 of General Order D-11 of the San Francisco Police Department.)

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of disciplinary charges filed against Police Officer William H. Scott, Central Station, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1038-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER JEFFREY WOO, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jeffrey Woo, Central Station as follows:

CHARGE NO. 1

Failure to perform duties according to Department rules (violation of Rule A-5 of General Order D-1 of the San Francisco Police Department);

CHARGES NO. 2

Failure to provide for the security and safety of a prisoner (violation of Rule A-37 of General Order D-1 of the San Francisco Police Department);

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Woo, Central Station, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis





RESOLUTION NO. 1039-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE  
OFFICER RODNEY LEE, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Rodney Lee, Central Station, as follows:

CHARGE NO. 1

Failure to perform duties according to Department rules (violation of Rule A-5 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to provide for the security and safety of a prisoner (violation of Rule A-37 of General Order D-1 of the San Francisco Police Department);

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Rodney Lee, Central Station, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1040-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE  
OFFICER MARK H. MADSEN, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Mark H. Madsen, Central Station, as follows:

CHARGE NO. 1

Failure to perform duties according to Department rules (violation of Rule A-5 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to provide for the security and safety of a prisoner (violation of Rule A-37 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Engaging in conduct which subverts the good order, discipline and efficiency of the Department, and which reflects discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 4

Engaging in conduct which subverts the good order, discipline and efficiency of the Department, and which reflects discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);



CHARGE NO. 5

Failure to make a report of a crime brought to his attention (violation of Rule A-12 of General Order D-11 of the San Francisco Police Department.)

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Mark H. Madsen, Central Station, is scheduled for Thursday, October 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

RESOLUTION NO. 1041-86

REQUEST OF THE CHIEF FOR POLICE COMMISSION APPROVAL TO ACCEPT THE DONATION OF A HORSE NAMED "SHORTY" TO THE SAN FRANCISCO POLICE DEPARTMENT MOUNTED UNIT BY MS. PAT CARWAY

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WHEREAS, Ms. Pat Carway has expressed a desire to donate a horse for the use of the San Francisco Police Department Mounted Unit, and

WHEREAS, this civic minded gesture will provide needed assistance in the protection of life and property in San Francisco, and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department Head of those gifts to the City and County of San Francisco of a value of Five Thousand Dollars (\$5,000) or less, and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts, and

WHEREAS, the generous gift from Ms. Pat Carway has an appraised value of Two Thousand Dollars (\$2,000); now therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift from Ms. Pat Carway of a horse to be used by the San Francisco Police Department Mounted Unit.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez  
ABSENT: Commissioner Davis

The meeting, thereafter, was adjourned.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





OCTOBER 10, 1985

SPECIAL MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 10, 1985, at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly, Toler  
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

1. Attorney-Client Conference

OCTOBER 10, 1985

REGULAR MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 10, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly, Toler  
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

OCT 30 1986

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APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 26, 1985

Approval of Minutes of the Meeting of September 26, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1107-85

ALBERT H. MAZZONI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert H. Mazzoni in the sum of \$434.17 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 20, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1108-85

JANET GOLDING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janet Golding in the sum of \$287.32 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh



RESOLUTION NO. 1109-85

PAMELA LYNN RICHARDSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pamela Lynn Richardsen in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 23, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1110-85

EVA B. HAYNIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eva B. Haynie in the sum of \$490.56 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 12, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1111-85

MICHAEL ANDREWS INSURANCE CO. (VIRGINIA RUCKER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Andrews Insurance Company (Virginia Rucker) in the sum of \$413.58 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 10, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1118-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Mr. Frank Schober	(Internal Affairs Seminar
Investigator James Houston	(Long Beach, California
	(07/29/85 - 07/31/85
	(\$575.25 and \$530.00
	(Refund of \$23.00 and
	\$22.25, respectively,
	submitted

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh



8-  
RESOLUTION NO. 1119-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Thomas Horan	(California Crime
Officer Mary Petrie	Prevention
Officer Henry Friedlander	Officers Annual
	Training Conference
	(Costa Mesa, California
	(09/18/85 - 09/20/85
	(\$517.00 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1120-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Edwin Kenney	(The Northwest
Inspector Dale Smith	Warrant/Transportation
	Officer Conference
	(Newport, Oregon
	(08/21/85 - 08/23/85
	(\$390.00 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1121-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. Robert Hankins	(International
Officer Jeremiah Morgan	Association of Bomb
	Technicians and
	Investigators
	(San Diego, California
	(09/25/85 - 09/27/85
	(\$373.00 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1122-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Charles E. Hoenisch	(California Secondhand
	Dealers Investigators
	Association
	(Culver City, California
	(09/17/85-09/20/85
	(\$464.00





AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1123-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Daniel Hampton	(Defensive Tactics
Officer Frank Mckee	Instructors Update
	(Santa Rosa, California
	(09/07/85 - 09/08/85
	(\$123.50 and \$134.55,
	\$11.05 refund submitted
	by Officer Daniel
	Hampton

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1124-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Kitt E. Crenshaw	(80-Hour Narcotic
Officer James Deely	Investigation Course
	(Sacramento, California
	(06/16/85 - 06/28/85
	(\$731.65 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1125-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer Ralph E. Schoenstein	(Latent Fingerprint
	Techniques
	(Sacramento, California
	(09/23/85 - 09/27/85
	(\$382.00

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1126-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.



Sgt. William S. Hardeman (Specialized  
Surveillance Equipment  
(Sacramento, California  
(09/16/85 - 09/20/85  
(\$349.00

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1058-85

FIREMAN'S FUND INSURANCE (TERRY CONGER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fireman's Fund Insurance (Terry Conger) in the sum of \$3,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1984

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1059-85

AL N. LIMIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Al N. Limin in the sum of \$2,500.00 as the result of personal injury sustained, be, and the same is hereby approved.

Date of Incident: October 27, 1984

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1060-85

EDGARDO PADILLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edgardo Padilla in the sum of \$2,300.00 as the result of personal injury, be, and the same is hereby approved.

Date of Incident: October 27, 1984

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1061-85

DONALD E. or ALICE E. KROLL vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Donald E. or Alice E. Kroll in the sum of \$333.71 in Small Claims Court No. 4410216 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 15, 1984

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh





RESOLUTION NO. 1098-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT  
CRIMINALISTS CHRIS JOHANSEN AND MICHAEL TAN,  
CRIMINALISTICS SECTION, BE AUTHORIZED TO ATTEND THE  
CALIFORNIA ASSOCIATION OF CRIMINALIST SEMINAR

---

RESOLVED, that the recommendation of the Chief of Police that Criminalist's Chris Johansen and Michael Tan, Criminalistics Section, be authorized to attend the California Association of Criminalist Seminar, conducted by the California Association of Criminalist/Los Angeles Police Department in Los Angeles from October 24th to October 26, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$401.00 each for tuition, subsistence and airfare will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Sanchez  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1099-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT INSPECTOR  
BRUCE G. LORIN, GENERAL WORKS SECTION, BE AUTHORIZED  
TO ATTEND THE INVESTIGATION OF HOMICIDE & VIOLENT  
CRIMES COURSE IN SACRAMENTO

---

RESOLVED, that the recommendation of the Chief of Police that Inspector Bruce G. Lorin, General Works Section, be authorized to attend the Investigation of Homicide and Violent Crimes Course, conducted by the California Department of Justice in Sacramento, from October 21st to October 25, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$349.00 for subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Sanchez  
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1100-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT LIEUTENANT  
JAMES A. TEDESCO, FRAUD SECTION, BE AUTHORIZED TO  
ATTEND THE DATTA HIGH-TECHNOLOGY TRAINING SEMINAR IN  
SANTA CLARA

---

RESOLVED, that the recommendation of the Chief of Police that Lieutenant James A. Tedesco, Fraud Section, be authorized to attend the Datta High-Technology Training Seminar conducted by the Santa Clara County District Attorney's Office in Santa Clara County from October 28th to November 1, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of \$299.00 for subsistence and travel will be defrayed by the Department Training fund.

AYES: Commissioners Daly, Toler, Nelder, Sanchez  
ABSENT: Commissioner Hsieh



RESOLUTION NO. 1101-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT OFFICER GERALD J. SCHMIDT, CRIME SCENE INVESTIGATIONS, BE AUTHORIZED TO ATTEND THE ADVANCED FINGERPRINT COURSE

RESOLVED, that the recommendation of the Chief of Police that Officer Gerald Schmidt, Crime Scene Investigations, be authorized to attend the Advanced Fingerprint Course, conducted by the Federal Bureau of Investigation in Eureka, from October 28th to November 1, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of \$429.50 for subsistence, travel, materials and parking will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Sanchez  
ABSENT: Commissioner Hsieh

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met in Closed Session this date in an Attorney Client Conference. No vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report for the Commission tonight.

PUBLIC HEARING ON REVISION TO GENERAL ORDER NO. B-7, "ISSUANCE AND REPLACEMENT OF UNIFORMS AND EQUIPMENT"

Deputy Chief Trueb said he is now requesting that this matter be taken off calendar as it has not been to the Employee Organizations as yet as they do have some concerns. He said it would be re-submitted after the Department and Staff has met and conferred with them as required by law.

Commissioner Nelder said he would make a motion to take it off calendar. Commissioner Toler seconded and it was unanimously approved.

HEARING OF POLICE OFFICER GLENN SYLVESTER, MISSION STATION

The hearing of Police Officer Glenn Sylvester, Mission Station, was called it having been set for this date.

Police Officer Glenn Sylvester appeared in person and was represented by Mr. Casimere Wilson, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.





An opening statement was made by Mr. Casimere Wilson for the Defense. A plea of guilty to the charges was made by Attorney Wilson on behalf of Officer Glenn Sylvester.

The Commission took the matter under submission, recessed and returned, and made the following recommendation. Officer Glenn Sylvester was ordered to see Dr. Norman Steiner, Police Physician, within the next two weeks with follow-up recommendations to be made by Dr. Steiner to the Police Commission.

The matter was continued to Thursday, October 31, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler  
ABSENT: Commissioner Hsieh

Recess taken during the hearing of Officer Glenn Sylvester:

5:50 p.m. to 5:53 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR)

HEARING OF POLICE OFFICER MICHAEL E. EVANSON,  
NORTHERN STATION

The hearing of Police Officer Michael E. Evanson, Northern Station, was called it having been set for this date.

Police Officer Michael E. Evanson appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

Mr. John Prentice made a motion to continue because of pending criminal charges against Officer Evanson.

The motion for continuance by Attorney Prentice was denied. Mr. Prentice then reserved an opening statement to be made at the conclusion of prosecutions's presentation.

The following named witness appeared for the Prosecution, was sworn and testified:

Officer Clifford Barnett, Twin Cities Police Department

An opening statement was made by Mr. John Prentice for the Defense.

The following named witness appeared for the Defense, was sworn and testified:

Officer Gary Hosher, San Francisco Sheriff's Department





14-  
The following exhibit was entered into evidence by the Defense:

Exhibit A      3 x 5" card with entire alphabet,  
written and signed by Officer  
Evanson, dated 07/04/85

After listening to testimonies from the above parties, the matter was continued to Thursday, November 7, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recesses taken during the hearing of Officer Michael E. Evanson:

6:48 p.m. to 6:50 p.m.

8:00 p.m. to 8:10 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

HEARING OF POLICE OFFICER ROY M. RAMOS, NORTHERN STATION

The hearing of Police Officer Roy M. Ramos, Northern Station, was called it having been set for this date. Officer Roy M. Ramos was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to obey the lawful order of a superior officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

CHARGE NO. 4

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Roy M. Ramos appeared in person and was represented by Officer Edward Garcia, Northern Station representative.



Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins for the Prosecution.

An opening statement was made by Officer Edward Garcia for the Defense. Officer Garcia entered a plea of guilty to all charges on behalf of Officer Roy Ramos.

The Commission took the matter under submission, recessed and returned, and unanimously accepted the plea of Officer Ramos.

Based on those findings, the Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Officer Ramos be terminated, said termination to be held in abeyance for 3 years; that he be given 120 days suspension and enroll in the Alternative to Punishment Program as prescribed in Department General Order D-4. After 60 days he is to report to the Police Commission on his progress and, depending on his progress, the decision to impose the last 60 days of his suspension will be determined.

The Commission again took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 1112-85

DECISION - HEARING OF POLICE OFFICER ROY M. RAMOS,  
NORTHERN  
STATION

---

WHEREAS, on June 13, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Roy M. Ramos, Northern Station as follows:

CHARGE NO. 1

Failure to prevent crime while off duty  
(violation of Rule A-2 of General Order D-1 of  
the San Francisco Police Department);

- (1) At all times herein mentioned, Roy M. Ramos, Star Number 2218 (hereinafter referred to as "the accused"), was a police officer employed by the San Francisco Police Department and assigned to Northern Police Station and serving a twenty (20) day suspension imposed by the Honorable Police Commission in connection with another matter, now assigned to the Communications Division;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On May 24, 1985, at or about 2230 hours, the accused, while off duty and driving a 1983 Ford automobile was operating said automobile southbound on 19th Avenue near its intersection with Irving Street in the City and County of San Francisco, State of California;





(4) At said time and place, members of the San Francisco Police Department observed the accused driving said automobile at a high rate of speed and observed it to traverse an intersection against a red light. The accused was stopped and it appeared that he was intoxicated, therefore he was arrested for violation of Vehicle Code Sections 23152(a), a misdemeanor, 22350 and 21453(a), both infractions;

(5) As a police officer, the accused has a duty to prevent crime at all times. Notwithstanding this duty, the accused, by driving a vehicle on a public street of the State of California in violation of Vehicle Code Sections 23152(a), 22350, and 21453(a), not only failed to prevent crime, but actually engaged in conduct of a criminal nature which constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off-duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."

#### CHARGE NO. 2

Failure to obey the lawful order of a superior officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

(6) Each and every allegation contained in paragraphs (1) through (4), inclusive, is incorporated herein by reference as though set forth in full;

(7) After the accused was arrested, when he was requested to submit to a test to determine his blood alcohol level in connection with his arrest, the accused refused to be tested for the presence of alcohol in his blood stream. Thereafter, Captain Raymond Minkel ordered the accused to submit to a sobriety test for administrative purposes which the accused refused to do;

(8) By driving a motor vehicle on the highways of the State of California in violation of Vehicle Code Section 23152(a), and by refusing to submit to a sobriety test as ordered by Captain Minkel, the accused has failed to obey the lawful order of a superior officer which constitutes a violation of Rule A-11 of General Order D-1 of the San Francisco Police Department that states:

"Members shall promptly obey all lawful orders of superiors. If a member is given an order which conflicts with previous orders or with written directives, the member shall advise the superior of the conflict and proceed according to the superior's direction."



CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

- (9) Each and every allegation contained in paragraphs (1) and (5), inclusive, of Charge No. 1 and paragraph (7) of Charge 2 is incorporated herein by reference as though set forth in full;
- (10) By driving an automobile in a manner which violated the laws of the State of California and refusing to obey the lawful order of a superior officer, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

CHARGE NO. 4

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

- (11) At all times herein mentioned, Roy M. Ramos, Star Number 2218 (hereinafter referred to as "the accused"), was a police officer employed by the San Francisco Police Department and assigned to Northern Police Station, now assigned to the Communications Division;
- (12) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (13) On or about March 31, 1985, the accused while off duty assisted a friend in moving from her residence located in Belmont, California.
- (14) In the course of the move, the accused and the others who were assisting consumed beverage alcohol to the point where the accused became intoxicated;





- (15) The accused became involved in an altercation with the other resident of the apartment from which the accused's friend was moving;
- (16) An elderly female neighbor saw the fight and threatened to call the police; the accused responded that he was a cop, he grabbed his crotch with his hand, gestured toward the woman and shouted "Suck it babe."
- (17) The Belmont police arrived; no arrest was made.
- (18) By drinking beverage alcohol to the extent that he became intoxicated and engaging in an altercation; identifying himself as a San Francisco police officer and shouting obscenities at a citizen the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

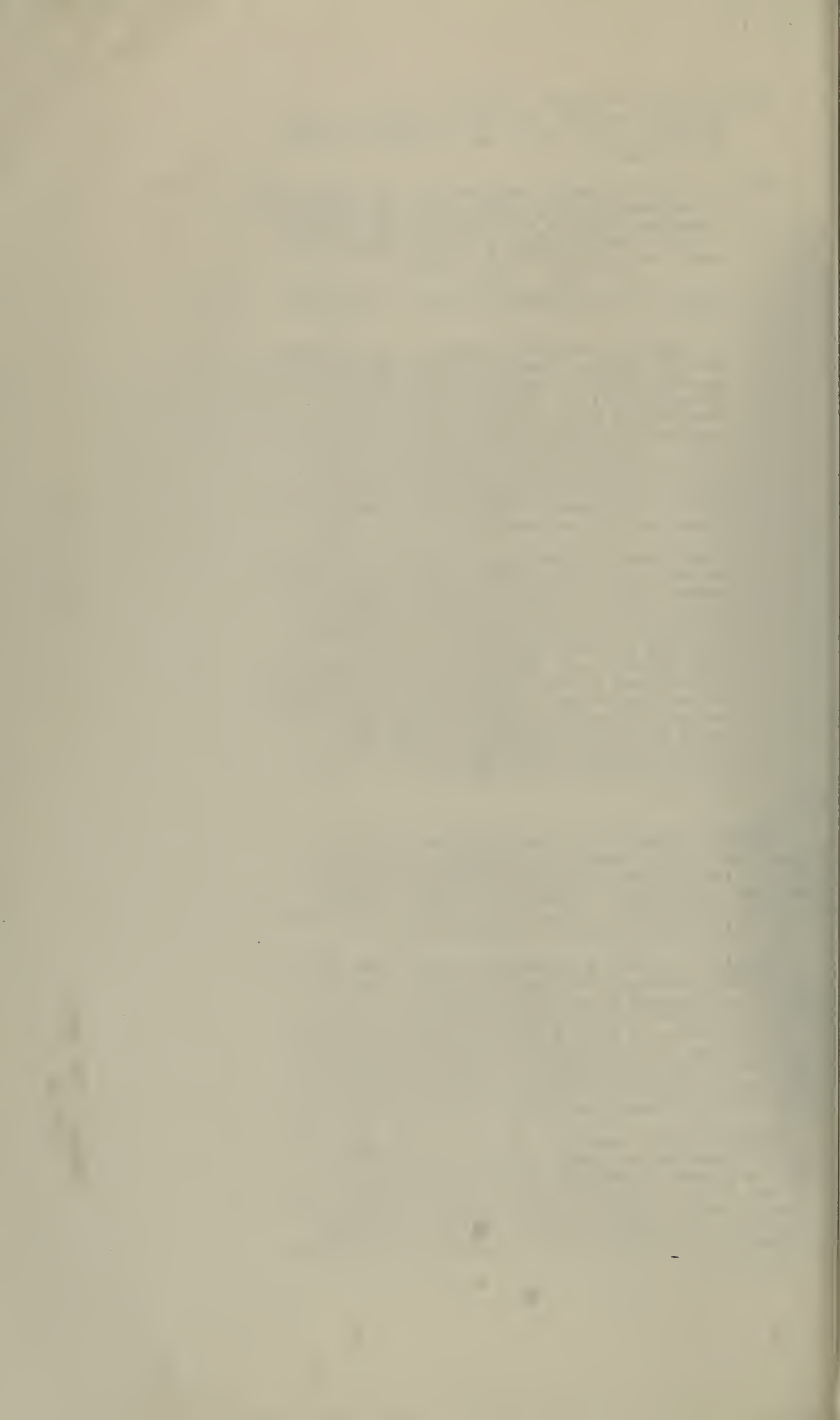
and

WHEREAS, a hearing on said Charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, October 10, 1985, and on Thursday, October 10, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-2 of General Order D-1, Charge No. 2, violation of Rule A-11 of General Order D-1, Charge No. 3, violation of Rule A-9 of General Order D-1, and Charge No. 4, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Roy M. Ramos, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:





Charge No. 1	[penalty]	Termination, 4 years in
Charge No. 2		abeyance; 120 days
Charge No. 3		suspension and enroll
Charge No. 4		in the Alternative to
		Punishment Program as
		prescribed in
		Department General
		Order D-4. He is to
		report to the Police
		Commission on December
		5, 1985 regarding his
		progress, and
		depending on his
		progress, a decision
		will be made to
		rescind or continue
		the last 60 days of
		his suspension.

and be it further

RESOLVED, that said suspension totaling 120 calendar days is to commence Saturday, November 2, 1985 at 0001 hours and end on Saturday, March 1, 1986 at 2400 hours. Officer Ramos is to report to the Police Commission on December 5, 1985 for review of his progress and determination regarding the last 60 days of his suspension.


AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recess taken during the hearing of Officer Ramos:

6:20 p.m. to 6:40 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 8:45 PM.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
POLICE COMMISSION



OCTOBER 16, 1986

SPECIAL MEETING

16/86  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 16, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

PRESENT: Commissioners Sanchez, Nelder, Davis,  
Giraud, Owens

Commissioner Sanchez presiding.

OCTOBER 16, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 16, 1986 at 1730 hours on a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Davis,  
Giraud, Owens

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF AUGUST 28, 1986

Approval of Minutes of Meeting of August 28, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

DOCUMENTS DEPT.

RESOLUTION NO. 1090-86

DEC 17 1986

TILTON CHANG

SAN FRANCISCO  
PUBLIC LIBRARY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tilton Chang in the sum of \$750.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 7, 1985

AYES: Commissioners Davis, Giraud, Nelder, Owens,  
Sanchez

RESOLUTION NO. 1091-86

LOIS SWIFT vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Lois Swift in Superior Court No. 859-190 in the sum of \$500.00 entitled "Lois Swift vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: October 30, 1985

AYES: Commissioners Davis, Giraud, Nelder, Owens,  
Sanchez





RESOLUTION NO. 1092-86

EDUARDO RUIZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eduardo Ruiz in the sum of \$170.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 29, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said the Commission met in Closed Session this date pertaining to an Attorney Client Conference and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had one item of interest and he would like to have Captain Mike Hebel from Community Services Division make a presentation.

Captain Hebel said that on January 5, 1987, his division will be in the Classrooms of San Francisco on a joint cooperative partnership between the San Francisco Unified School District and the San Francisco Police Department to bring a drug education program into the School System here in San Francisco. He said the program is much more than drug education in that it has quite a bit to do with items such as helping youngsters deal with peer pressure, helping them with their refusal skills, with their interpersonal communications and things of that sort. He said the last part has to do with giving them accurate and concrete drug information. He said it is a program that is modeled after one that has been extremely successful in Los Angeles called project SANE which has been and is presently conducted by the Los Angeles County Sheriff's Department for approximately 9 months and it has been extremely successful. The Commission acknowledged and applauded the program and thanked Captain Hebel for his presentation.

PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL ORDER I-6 "DOMESTIC VIOLENCE"

Officer Vicki Quinn, appeared on this matter and said that she had co-authored the General Order in conjunction with the family violence project which Ms. Sue Martin was the primary person with whom she had worked. She said the document was revised in order to comply with the new domestic violence laws that were brought about because of Senate Bill 1472. She said the revision now brings the Department's General Order on Domestic Violence into compliance with the law. She said the changes in the Order are procedural and they are primarily in the area of enforcement of restraining orders which has been a major complaint in San Francisco.



She said also the law requires that every member of the Department be trained in domestic violence laws and the Department has trained all members from the lowest levels to the top administration which includes the Chief of Police. She said also in conjunction with the issuance of the Order the Department is planning a roll call tape and special training for the district stations but every Patrol Officer that is working the street, Inspector and Sergeant will receive 8 hours of training in Domestic Violence. The Commissioners thanked Officer Quinn for her presentation and adopted the following resolution.

RESOLUTION NO. 1081-86

REVISED GENERAL ORDER I-6, "DOMESTIC VIOLENCE"

RESOLVED, that the Police Commission hereby approves the revision to Department General Order I-6, "Domestic Violence".

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1082-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER ARLENE GEORGE, WARRANT BUREAU

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Arlene George, Warrant Bureau, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Arlene George be set for October 23, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Arlene George, Warrant Bureau, is set for Thursday, October 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1083-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER DEBORAH E. FRANKS, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Deborah E. Franks, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Deborah E. Franks be set for January 8, 1987; therefore be it

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RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Deborah E. Franks, Potrero Station, is set for Thursday, January 8, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1084-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
WILLIAM H. SCOTT, CENTRAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer William H. Scott, Central Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer William H. Scott be set for December 18, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer William H. Scott, Central Station, is set for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1085-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER  
JEFFREY WOO, CENTRAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Woo, Central Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Jeffrey Woo be set for December 18, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Jeffrey Woo, Central Station, is set for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez





RESOLUTION NO. 1086-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER RODNEY LEE, CENTRAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Rodney Lee, Central Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Rodney Lee be set for December 18, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Rodney Lee, Central Station, is set for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1087-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER MARK H. MADSEN, CENTRAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Mark H. Madsen, Central Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Mark H. Madsen be set for December 18, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Mark H. Madsen, Central Station, is set for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RE-HEARING ON THE PETITION OF VETERANS TAXICAB CO. vs. SPECK TAXICAB CO.

Commissioner Sanchez said this matter for this evening has been on calendar for a number of times. He said this evening the Commission is requesting the City Attorney to make some initial comments pertaining to this matter and thereafter the attorneys for Speck, Veterans and Permit Applicant's Protective Association (PAPA) will also have an opportunity to speak.



Deputy City Attorney Gene Elliott gave an overview and historical update on this item and said that the petition filed by the group known as PAPA states that Veterans and Speck violated Proposition K on January 1, 1980, pursuant to what is called an operational management agreement that 10% or more of the assets of Veterans was transferred to Speck at that time. "The PAPA people state that this agreement is nothing less than a sale of the entire business, and that the contract is a sham and was designed for one purpose and that is to circumvent the provisions of Proposition K while transferring Veterans name, colors equipment and property to Speck." Mr. Elliott continued by saying that on November 2, 1981, Mr. Steven Diaz of the City Attorney's Office issued an opinion by the City Attorney's Office which in regards to an independent economist making a certain finding of fact found that there was 11% of the cooperate assets that were transferred and thereby a violation of Proposition K occurred. He said that on May 5, 1986, pursuant to the Commission's request when they received PAPA's petition the City Attorney again rendered an opinion concerning the status of that transfer. He said the then Deputy City Attorney Greg Fox wrote that having found no new evidence that there was no reason to alter the previous opinion by Steve Diaz that there was a violation of Proposition K. Mr. Elliott then said he also had reviewed the matter and agrees with both Diaz' and Greg's opinions. He said the Commission held hearings early on and the matter was taken off calendar pursuant to an attempt by Veterans and Speck to enter into some sort of a settlement or negotiation concerning the status of their agreement attempting to comply with Proposition K. He said the Commission gave the parties the opportunity to attempt that. During this time, he said, Veterans and Speck were also involved in litigation between themselves which was subsequently resolved by a settlement between the parties. He said Veterans, who originally brought the matter before the Commission in 1981, withdrew their petition and the agreement was then delivered to the City Attorney for review. He said there was never a subsequent opinion rendered by the City Attorney concerning the revised contract. He said, now, a review of the contract appears to indicate that an attempt was made to circumvent the requirements of Proposition K in that you cannot sell 10% of the assets so the assets were then leased. He said that agreement, in the City Attorney's opinion, is not a violation of Proposition K, however, he continued, it is a City Attorney's opinion that the Commission must look to the original contract and that if in fact 10% of the cooperate assets were transferred then that is, in fact, a violation of Proposition K rendering Veterans Permits null and void on January 1, 1980. He said he would recommend to the Commission that it should proceed with hearing evidence at this time, first by the petitioners PAPA and second Veterans and Speck, then the City Attorney, the Permit Section and Legal Division and if there are any comments or questions they should be raised after that time.

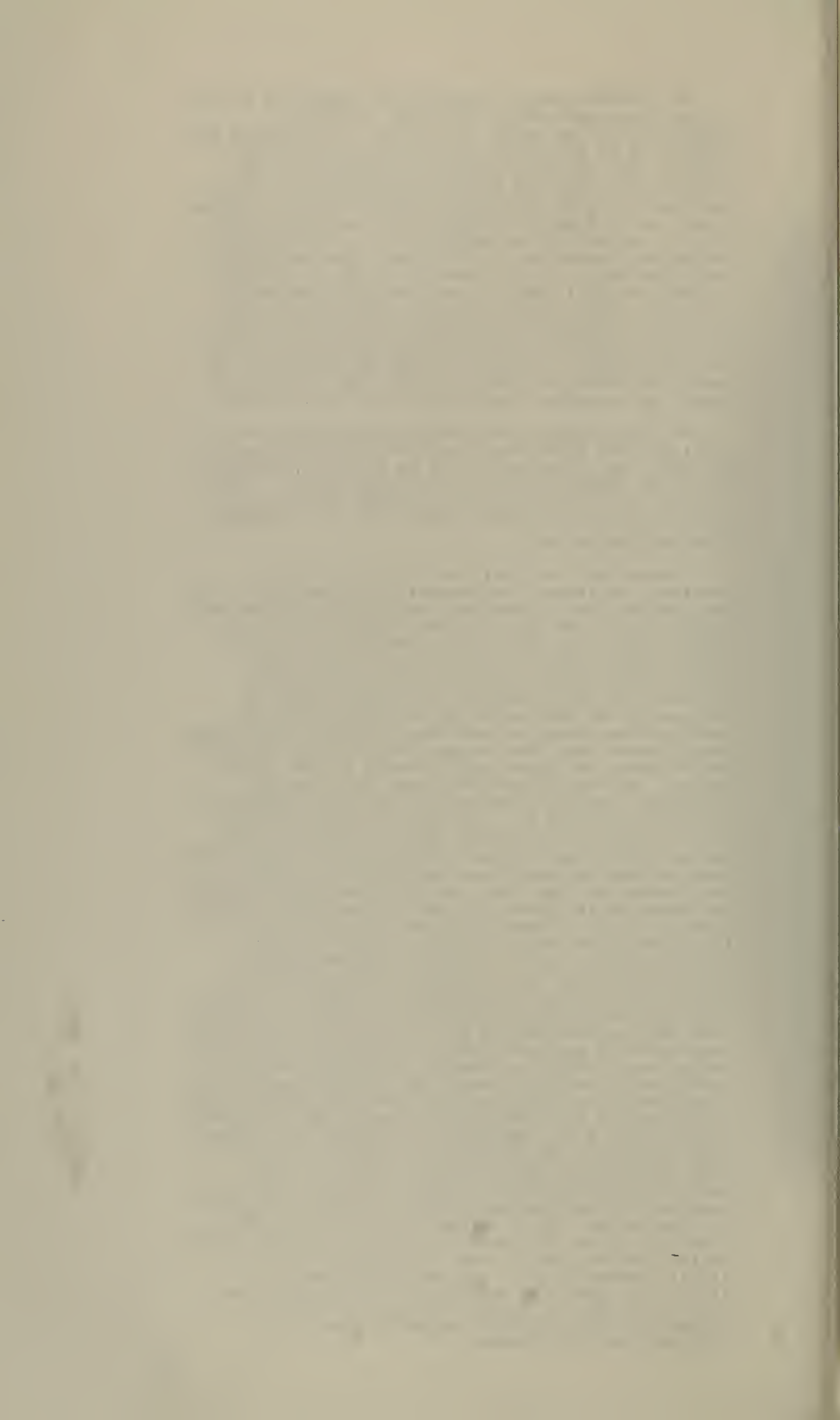




Mr. Lawrence Ball, Attorney for PAPA said he had filed a memo petition on 10/14/86 with the Commission and he would like for it to be marked and considered as an exhibit and made a part of the record. The memo was marked as submitted by the Attorney for PAPA and labeled Exhibit No. 1. Mr. Ball said he also prepared an evaluation of Veterans Assets as of January 1, 1980 and requested to also file it and mark it as Exhibit No. 2. He said this evaluation points out as PAPA has contended that there has been a sale of more than 10% of the Assets of Veterans Taxi Cab Co., per the O&M Agreement of January 1, 1980. After further presentation, Mr. Ball said the people of the City and County of San Francisco voted for Proposition K and its intention has been grossly violated by this agreement and it should be declared illegal so that the will of the people in inacting Proposition K can take effect.

Mr. Dick Lygutis, Attorney representing one applicant who is himself, said he filed the petition for PAPA and no matter how it is stated by Veterans and Speck something happened to their assets. He said he did not think it was 10% but it was closer to 100% and that Mr. Canterbury, and Mrs. Alandria Peterson stated that.

Thereafter, Mr. Canterbury, Attorney for Veterans, addressed the Commission and said that he was confused as to what Veterans and Speck have been charged with. He said are they talking about the first contract or the second contract or are they talking about assets or are they talking about stock? If it is in the nature of a revocation hearing then they respectfully request that the Charges if the Commission is in the opinion that this hearing should be continued then the Commission should state what the charges are in order for Speck and Veterans to frame their defense to meet those issues. Mr. Canterbury then went on to present testimony from the Commission's earlier hearings on this issue made by Mr. Steven Diaz former Deputy City Attorney and he quoted Mr. Diaz thusly, "The parties might come forward consistent with the point made by Commissioners Daly and Toler and submit to the Commission that they jointly agree that they are not bound by the provisions of the agreement unless approved by this Commission and that accordingly if this Commission seemed inclined, based on the evidence before it, to find a violation that they are willing to go back and make a new agreement which does not violate Proposition K then we could, I think, have facts sufficient to support a finding that the contract was in fact conditional and if the Commission is satisfied that the time in which the matter was brought to them was reasonable that the Condition is one that cannot be satisfied unless new arrangements are made and then have the parties set a time period to either have no agreement or to come forward with a new agreement which does not violate Proposition K." Mr. Canterbury said the gist of this statement is that they were invited to do exactly what they ended up doing and that is to sit down and reframe the agreement and bring it back to the Commission. He continued by saying that Mr. Diaz did review that document and he is on record as saying that he read it and it probably does not violate Proposition K. He said there was a discussion among the members of the Board at that time as to what to do with the matter and Mr. Canterbury said that he suggested that it be dropped from the calendar.



That suggestion, he said, was taken up on the condition that if Mr. Diaz, on his review of the matter found that the new agreement violated Proposition K the matter would be restored to the Calendar. He said that was over four years ago, Mr. Diaz, he said, did not come back to the Commission, Mr. Diaz did not find it objectionable, his successor, Mr. Elliott, who doesn't have the advantage of being here the first time and who unfortunately has come up with even a stronger opinion than Mr. Diaz himself had has given no explanation as to why his office did not come back if it found the new agreement objectionable and recommend to the Commission that it do its duty.

He said the Speck and Veterans people are entitled to a hearing if the Commission finds that it is even appropriate to renew the original petition.

After a brief recess, Commissioner Owens said that this matter was brought before the Commission and the Commission should proceed to a final determination. She said she would like the Commission to proceed on this matter four weeks from this date. She said this should be considered in the form of a motion. It was done so and then seconded by Commissioner Nelder.

Commissioner Giraudo said that the request from counsel for Veterans and Speck of what the issues to be heard will be is a motion he would support to give counsel time to prepare themselves on the issue of whether in fact, following the advise of the Commission's Attorney who is present and who has advised the Commission that the issue before the Commission is whether in fact the first agreement was a violation of Proposition K.

Commissioner Davis then offered a friendly amendment to the motion also by saying that in addition it should say that based on the petition of PAPA and counsel of the City Attorney that the Commission review this matter.

Commissioner Owens said that it was acceptable to her and Commissioner Sanchez called for the question and the motion thereafter was adopted.

Mr. David Cincotta, representing Speck said that he believed that the Commission has very broad discretionary powers and that the Commission has the authority to approve even those transfers that go beyond 10%. He said they can prove in their agreements that they have not gone beyond 10% but if the Commission read the provisions of Proposition K in Section 5a, which he then quoted and specifically pointed out the words, "Null and Void unless approved by the Police Commission in conformity with the requirements of this Ordinance." He continued by saying that the Commission has the broad discretionary powers to deal with that issue and what was done, he said, and he then quoted from the City Attorney, "They were given the opportunity to reform their agreement." He continued by saying there was abundant material submitted to the Police Commission and at that time a new agreement was submitted and the matter was withdrawn.





That agreement, he said, and he again quoted the then City Attorney, "That agreement is not in violation of Proposition K." Mr. Cincotta continued by also saying that that matter was resolved and for the benefit of Mr. Ball, Attorney for PAPA, that in May of 1982 the Secretary of the Police Commission asked for a report on that agreement from Mr. Diaz. The fact that there was no report, he said, they (PAPA) could use the report of the City Attorney today telling them that that agreement was in violation is to complete that report and that matter would be over. He said he felt that the Commission would be equitably estopped in that arena.

After further discussion, Commissioner Sanchez said that all evidence pertaining to the issues in question shall be forwarded to the Commission for review within four to five days of the hearing to allow time for the Commissioners to give it a thorough and comprehensive review. The matter was then continued to Thursday, November 20, 1986, at 5:30 p.m.

(The entire text of this hearing was taken in shorthand form by Linda Pransky, CSR)

The following letter was sent to all participants.

RE-HEARING ON THE PETITION OF VETERANS TAXICAB CO.  
vs. SPECK TAXICAB CO.

The re-hearing on the petition of Veterans Taxicab Company vs. Speck Taxicab Company was called it having been continued from the meeting of August 28, 1986.

The following attorneys appeared in person:

Lawrence Ball, Attorney at Law representing  
Permit Applicant's Protective  
Association (P.A.P.A.)  
David Cincotta, Attorney at Law, representing  
Speck Cab Co.  
Wayne Canterbury, Attorney at Law, representing  
Veterans Cab Co.  
Gene Elliott, City Attorney's Office  
Richard Lygutis, Attorney at Law,  
for Richard Adams, AKA

Opening Statements were made by the following:

Mr. Gene Elliott, City Attorney's Office  
Mr. Lawrence Ball, Attorney for P.A.P.A.  
Mr. Richard Lygutis, Attorney for  
Richard Adams, aka  
Mr. Wayne Canterbury, Attorney for  
Veterans Cab Co.  
Mr. David Cincotta, Attorney for Speck Cab Co.

The following exhibits were entered by the petitioner:

Exhibit #1 Petitioner's Reply Memorandum dated  
10/14/86, Re: Veterans/Speck Agreements,  
Proposition K and Veterans Permit Status  
Exhibit #2 Valuation of Veterans Assets on  
January 1, 1986

The following exhibit was entered by the respondents:

Exhibit #1 Memorandum of Points and Authorities





After listening to the above presentations, the matter was continued to Thursday, November 20, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

Recess taken during the hearing:

7:50 p.m. to 7:55 p.m.

RESOLUTION NO. 1088-86

HEARING OF SERGEANT GREGORY CLONEY, COMMUNICATIONS DIVISION

The hearing of Sergeant Gregory Cloney, Communications Division, was called it having been set for this date.

Sergeant Gregory Cloney appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. Casimir Wilson for the Defense.

WHEREAS, Chief of Police Frank M. Jordan, on new evidence, requested that the matter be withdrawn from the calendar at this time and be brought back before the Commission on December 4, 1986; therefore be it

RESOLVED, that charges filed against Sergeant Gregory Cloney, Communications Division, is withdrawn from the calendar at this time and a status report is set for Thursday, December 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens Sanchez

RESOLUTION NO. 1079-86

NOTIFICATION AND FILING OF AMENDED CHARGES AGAINST POLICE INSPECTOR THOMAS M. MAZZUCCO, INVESTIGATIONS BUREAU/JUVENILE SECTION

WHEREAS, amended charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section, as follows:

CHARGE NO. 1

Possessing or using controlled substances as defined under the California Uniform Controlled Substances Act without a valid prescription (violation of Rule IV, Subsection C, of General Order D-4 of the San Francisco Police Department);

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES  
DEPARTMENT OF CHEMISTRY

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THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES  
DEPARTMENT OF CHEMISTRY

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

CHARGE NO. 3

Being under the influence of drug while on duty (violation of Rule IV, subsection D, of General Order D-4 of the San Francisco Police Department);

CHARGE NO. 4

Refusal to submit to a chemical test as ordered by his Commanding Officer (violation of Rule VI, subsection B, 1 of General Order D-4 of the San Francisco Police Department);

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section is scheduled for Thursday, October 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1080-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MICHAEL HARRINGTON, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael Harrington, Potrero Station, as follows:

CHARGE NO. 1

Consuming an alcoholic beverage while on duty and in uniform (violation of Rule III, subsections A and C, of General Order D-4 of the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

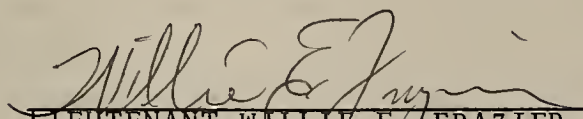




RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael Harrington, Potrero Station, is scheduled for Thursday, October 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

The meeting, thereafter, was adjourned.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



OCTOBER 17, 1985

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, Thursday, October 17, 1985, at 1700 hours.

1. Attorney-Client Conference

Rashae Williams vs. Robert Mangosing/City and County of San Francisco

AYES: Commissioners Sanchez, Nelder, Daly, Hsieh, Toler

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

OCT 30 1986

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OCTOBER 17, 1985

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, Thursday, October 17, 1985, at 1730 hours.

AYES: Commissioners Nelder, Hsieh, Toler

ABSENT: Commissioners Daly, Sanchez

Commissioner Nelder presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 3, 1985

Approval of Minutes of the Meeting of October 3, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1127-85

CARLTON S. KUBOYAMA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carlton S. Kuboyama in the sum of \$800.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Hsieh, Nelder, Toler

ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1128-85

ABC TOWING (GRADY RICHARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Grady Richard) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: August 28, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1129-85

ABC TOWING (KIM WOODS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Kim Woods) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 29, 1984

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1130-85

ABC TOWING (JOSE CARDOVA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Jose Cardova) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1131-85

ABC TOWING (SONIA SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Sonia Smith) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1132-85

ABC TOWING (GORDON MASTERS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Gordon Masters) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez





RESOLUTION NO. 1133-85

ABC TOWING (TOM OSHER)

RESOLVED, that the recommendation of City Attorney for settlement of the claim of ABC Towing (Tom Osher) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 29, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners, Daly, Sanchez

RESOLUTION NO. 1134-85

ABC TOWING (TYRONE PRIMUS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Tyrone Primus) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1135-85

ABC TOWING (MARIANNE FAY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Marianne Fay) in the sum of \$63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1136-85

BEVERLY A. RINES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beverly A. Rines in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 11, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1137-85

SANDRA BARTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sandra Barton in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez



RESOLUTION NO. 1138-85

RON J. BARULICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ron J. Barulich in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 11, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1139-85

GARY BOSSIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Bossier in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 5, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1140-85

DAVID TUTTLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Tuttle in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1141-85

FREDERIC TOLLARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frederic Tollard in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1142-85

EDWARD RAY BELLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward Ray Beller in the sum of \$51.00 as the result of a faulty tow, be, and the same is hereby approved.





04-  
Date of Incident: August 27, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1143-85

KEITH L. MATHEWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith L. Mathews in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 10, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1144-85

ABC TOWING (GRIMES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Grimes) in the sum of \$10.35 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1985

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1145-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Frank McDonagh	(Law Enforcement Fitness Advisor
Officer Jeffrey Barker	(Oroville, California
	(08/19/85 - 08/23/85
	(\$502.40 and \$406.00,
	respectively

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1146-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Charles Coates	(Laser Firearms Course
Officer Michael O'Brien	(Oroville, California
	(07/19/85
	(\$182.60 each

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez



RESOLUTION NO. 1147-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Gary Frederick	(Skidmark Analysis Course
Officer Dirk Beijen	(Eureka, California
Officer Douglas Foss	(07/15/85 - 07/19/85
Officer Raymond Shine	(\$430.95 each
Officer Thomas Sweeny	

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1148-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Gary Frederick	(Advanced Traffic
Officer Robert Ryan	Accident
Officer Raymond Shine	Investigation/
Officer John Sweeny	Reconstruction
Officer Edward Weaver	(Sacramento,
	California
	(04/01/85 - 04/12/85
	(\$1,204.65 each

AYES: Commissioners Hsieh, Nelder, Toler  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION 1102-85

REQUEST OF MR. FRANK SCHOBER, DIRECTOR OF THE OFFICE OF CITIZENS COMPLAINTS, THAT INVESTIGATORS SHELIA McEVOY, ARACELI MATUS AND BARBARA ATTARD, BE AUTHORIZED TO ATTEND THE HOMICIDE INVESTIGATIONS COURSE IN LOS GATOS

---

RESOLVED, that the request of Mr. Frank Schober, Director of the Office of Citizens Complaints, that Investigators Shelia McEvoy, Araceli Matus and Barbara Attard, be authorized to attend the Homicide Investigations Course, conducted by CSU/San Jose in Los Gatos, from October 21st to October 25, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of \$500.00 each for tuition, subsistence and travel will be defrayed by the Department Training Fund.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez



06-

RESOLUTION NO. 1103-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT INSPECTOR THOMAS A. ARNOLD, GENERAL WORKS SECTION, BE AUTHORIZED TO ATTEND THE INVESTIGATION OF HOMICIDE AND VIOLENT CRIMES COURSE IN SACRAMENTO

---

RESOLVED, that Inspector Thomas A. Arnold, General Works Section, be authorized to attend the Investigation of Homicide and Violent Crimes Course, conducted by the California Department of Justice in Sacramento from October 21st to October 25, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of \$349.00 for subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1105-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT THIRTY-ONE (31) MEMBERS OF THE TACTICAL DIVISION, BE AUTHORIZED TO ATTEND SPECIAL WEAPONS AND TACTICS REFRESHER TRAINING IN FORT ORD, MONTEREY

---

RESOLVED, that the recommendation of the Chief of Police that Thirty-One (31) Members of the Tactical Division, be authorized to attend Special Weapons and Tactics Refresher Training conducted by the Federal Bureau of Investigation at Fort Ord, Monterey during the months of October and November, 1985, be, and the same is hereby approved, and be it further

RESOLVED, that expenses in the amount of \$197.00 each for subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1104-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT OFFICER DAVID MARTINOVICH AND OFFICER ANTONIO FLORES, NARCOTICS SECTION, BE AUTHORIZED TO ATTEND THE NARCOTICS INVESTIGATION COURSE, IN SACRAMENTO

---

RESOLVED, that the recommendation of the Chief of Police that Officer David Martinovich and Officer Antonio Flores, Narcotics Section, be authorized to attend the Narcotics Investigation Course, conducted by the California Department of Justice in Sacramento from October 27th to November 8, 1985, be and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$679.00 each for travel and subsistence will be reimbursed by P.O.S.T. 70% of the Members' salaries will also be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez





RESOLUTION NO. 1106-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT INSPECTOR HANS ANDERSON AND INSPECTOR BRADLEY NICHOLSON, JUVENILE DIVISION, BE AUTHORIZED TO ATTEND THE SEXUAL ASSAULT INVESTIGATION COURSE IN GILROY, CALIFORNIA

RESOLVED, that the recommendation of the Chief of Police that Inspector Hans Anderson and Inspector Bradley Nicholson, Juvenile Division, be authorized to attend the Sexual Assault Investigation Course, conducted by Gavilian College in Gilroy, California from October 28th to October 30, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$216.00 each for tuition, subsistence and travel will be reimbursed by P.O.S.T. P.O.S.T. will also reimburse 70% of these members' salaries, while they are at this course.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION 1057-85

RASHAE WILLIAMS vs. ROBERT MANGOSING/SF CITY AND COUNTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rashae Williams vs. Robert Mangosing in the sum of \$1,328,266.00 entitled "Williams vs. Mangosing, et al," in Superior Court No. 810-340, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 19, 1983

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder said there is no Commission report tonight.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy advised that he had no report tonight.

PRESENTATION OF CHIEF'S COMMENDATION TO OFFICER JEANNE McVEIGH

Chief Murphy said that more appropriately that this is a department commendation. He then read into the record the Commendation:



08-

"On behalf of the men and women of the San Francisco Police Department it is a privilege to Commend Officer Jeanne McVeigh. For over 4 years while performing her regular duties, Officer McVeigh has labored tirelessly researching the Department's Archives in order to produce the photographic chronicle of every graduating class from the San Francisco Police Academy. This Collection spans from the 1st recruit class of October 18th 1937 to the present 167th Recruit Class of July 1, 1985. By laboring those countless hours, sifting through thousands of photo negatives, personnel records and training rules which represent 48 years of Department activity, Officer McVeigh has documented for posterity a page of history that may well have been lost forever. As young Officers browse the photo display along the walls of the 5th floor of the Hall of Justice they see the people who lead them today as they appeared when they had just begun their careers. Hopefully, this historical perspective will inspire these young officers to work harder, rise in the Organization, and take the Department to even greater heights. The San Francisco Police Department has a proud past and a promising future. Thanks to Officer McVeigh a very important part of our tradition has been permanently recorded."

The plaque was then presented to Officer McVeigh by the Chief and the Police Commission. Commissioner Nelder then said the Commission also wants to thank her for the work that she has done as she has reclaimed a great deal of history in her effort to bring forth all of those photos and identification of the people in the photos which was not easy. He said he recalls her having him (Commissioner Nelder) play a minor roll in it and he was able to only identify 98% of the people. But thanks to Officer McVeigh she was able to get the other 2%. He said there is a great deal of history in this department and he felt that her efforts will preserve it for the future.

RESOLUTION NO. 1113-85

PUBLIC HEARING ON REVISION TO DEPARTMENT GENERAL ORDER NO. Z-1, "SEARCH WARRANTS RELATED TO DRUG AND ALCOHOL ABUSE REHABILITATION - APPROVED

RESOLVED, that The Police Commission hereby adopts Department General Order No. Z-1, "Search Warrants Related to Drug and Alcohol Abuse Rehabilitation".

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1114-85

PUBLIC HEARING ON NEW DEPARTMENT GENERAL ORDER NO. I-17, "DOG COMPLAINT PROCEDURE" - APPROVED

RESOLVED, that The Police Commission hereby adopts Department General Order No. I-17, "Dog Complaint Procedure".

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez





RESOLUTION NO. 1117-85HEARING OF DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, the hearing of disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be continued two weeks; therefore be it

RESOLVED, that the hearing of disciplinary charges filed against Police Officer Larry Murdock, Mission Station, is set for Thursday, October 31, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

HEARING OF DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER MICHAEL KENNY, VICE CRIMES DIVISION/NARCOTICS

Mr. John Prentice, Attorney for Officer Michael Kenny, said he is asking for a continuance in this matter because when he returned from vacation last week he had a message on his desk stating that Michael Kenny had admitted himself into the Mt. Vista Farm in Glen Ellen for alcohol rehabilitation. He said he called there and had some difficulty getting a hold of him because of a strict regiment he was being put through. He said when he finally got through to him, Kenny said he did not feel he was capable of attending this hearing because of all the pressures that he was facing in participating in the treatment program. He said the Officer is getting out of the program October 30th and he would accept any date after that time to go forward with this hearing.

Mr. Michael Gash, Legal Department, presented objections to Mr. Prentice's request for a continuance. He said if it is continued he would urge that the Commission hear it at the earliest possible date.

The matter was then continued to November 14, 1985.

RESOLUTION NO. 1115-85

WHEREAS, the date set for the hearing of disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Michael Kenny, that the date for the hearing before The Police Commission be continued to November 14, 1985; therefore be it



RESOLVED, that the hearing of disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, is set for Thursday, November 14, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Toler, Hsieh, Nelder,  
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1116-85

HEARING OF DISCIPLINARY CHARGES FILED AGAINST POLICE  
OFFICER KENNETH H. FOSTER, PATROL BUREAU TASK FORCE


WHEREAS, the date set for the hearing of disciplinary charges filed against Police Officer Kenneth H. Foster, Patrol Bureau Task Force, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, that the date for the hearing before The Police Commission be continued to November 14, 1985; therefore be it

RESOLVED, that the hearing of disciplinary charges filed against Police Officer Kenneth H. Foster, Patrol Bureau Task Force, is set for Thursday, November 14, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Toler, Hsieh, Nelder  
ABSENT: Commissioners Daly, Sanchez

The meeting, thereafter, was adjourned at 6:58 PM.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



5  
23/86  
OCTOBER 23, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 23, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

DOCUMENTS DEPT.

Commissioner Sanchez presiding.

OCT 23 1986

PUBLIC LIBRARY

OCTOBER 23, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 23, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 4, 1986

Approval of Minutes of Meeting of September 4, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City & County of San Francisco:

RESOLUTION NO. 1102-86

ERIC A. WOLLMAN vs. CITY AND COUNTY OF SAN FRANCISCO  
et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Eric A. Wollman in the amount of \$134,000.00 in Superior Court No. 819-472 entitle "Eric A. Wollman vs. City and County of San Francisco, et al" as the result of damages sustained be, and the same is hereby approved.

Date of Incident: On or about September 1982

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder





RESOLUTION NO. 1103-86

WILLIAM BENTON vs. CITY AND COUNTY OF SAN FRANCISCO,  
et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of William Benton in the amount of \$10,000.00 plus 10% interest from June 6, 1986, in Superior Court No. 804-946 as the result of damages sustained be, and the same is hereby approved.

Date of Incident: July 10, 1982

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1104-86

AYAD HUSSAIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ayad Hussain in the sum of \$2,636.60 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 8, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1105-86

JOE NATHAN GOMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Nathan Gomer in the sum of \$135.00 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: May 30, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1106-86

CHRISTOPHER W. BARTLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher W. Bartley in the sum of \$122.25 as the result of a faulty tow, be, and the same is hereby approved.

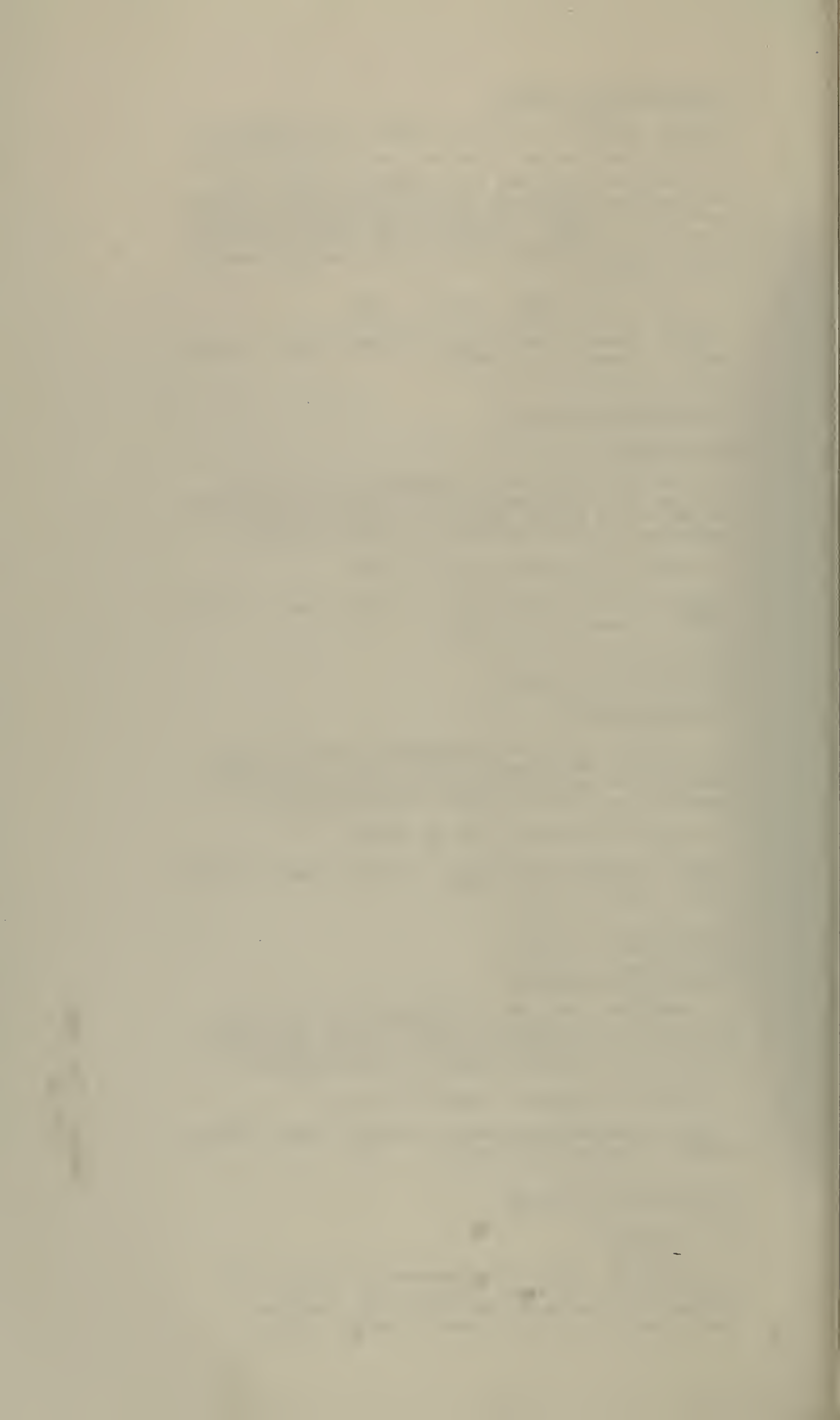
Date of Incident: August 28, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1107-86

C.S. CALDWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of C.S. Caldwell in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.



Date of Incident: June 8, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1108-86

BARBARA LUCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Luck in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1109-86

ABC TOWING (LaRONDA SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (LaRonda Smith) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1110-86

ABC TOWING (TIBERIO RASOL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Tiberio Rasol) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 2, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1111-86

ABC TOWING (HARRY WHARTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Harry Wharton) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder





RESOLUTION NO. 1112-86

ABC TOWING (EDWARD M. DOHERTY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Edward M. Doherty) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1113-86

ABC TOWING (JAVIER PADILLA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Javier Padilla) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1114-86

ABC TOWING (REGINALD DILLARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Reginald Dillard) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 31, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1115-86

LUIS COBOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luis Cobos in the sum of \$76.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1116-86

ABC TOWING (VIRGINIA BISEK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Virginia Bisek) in the sum of \$63.60 as a result of a faulty tow, be, and the same is hereby approved.



Date of Incident: August 22, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1117-86

ROSEMARY HALLACY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemary Hallacy in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1118-86

FRIEDA WEINER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frieda Weiner in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1119-86

DEBRA McADAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Debra McAdam in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1120-86

KENNETH E. WISCHMEYER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth E. Wischmeyer in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder



RESOLUTION NO. 1121-86

MELISSA FELDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melissa Feldman in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1122-86

GINA MENDICINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gina Mendicino in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1123-86

ROBERT FOYE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Foye in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1124-86

MERI JAYE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Meri Jaye in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1125-86

JANET SLUIZER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janet Sluizer in the sum \$53.25 as a result of a faulty tow, be, and the same is hereby approved.





Date of Incident: July 30, 1986

AYES: Commissioner Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1126-86

MARK W. MacNAMARA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark W. MacNamara in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1127-86

NORMAN C. HALL c/o AIKEN A. HALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman C. Hall c/o Aiken A. Hall in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1128-86

LAVERNE RICHARDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laverne Richardson in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 11, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1129-86

BARBARA ELLIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Ellis in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder



RESOLUTION NO. 1130-86

KATHERINE UNTCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine Untch in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 2, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1131-86

PAUL J. BUFFONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul J. Buffone in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 6, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1132-86

CITY AUTO SERVICES, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of City Auto Services, Inc. in the sum of \$51.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1133-86

EDNA S. HERBERT

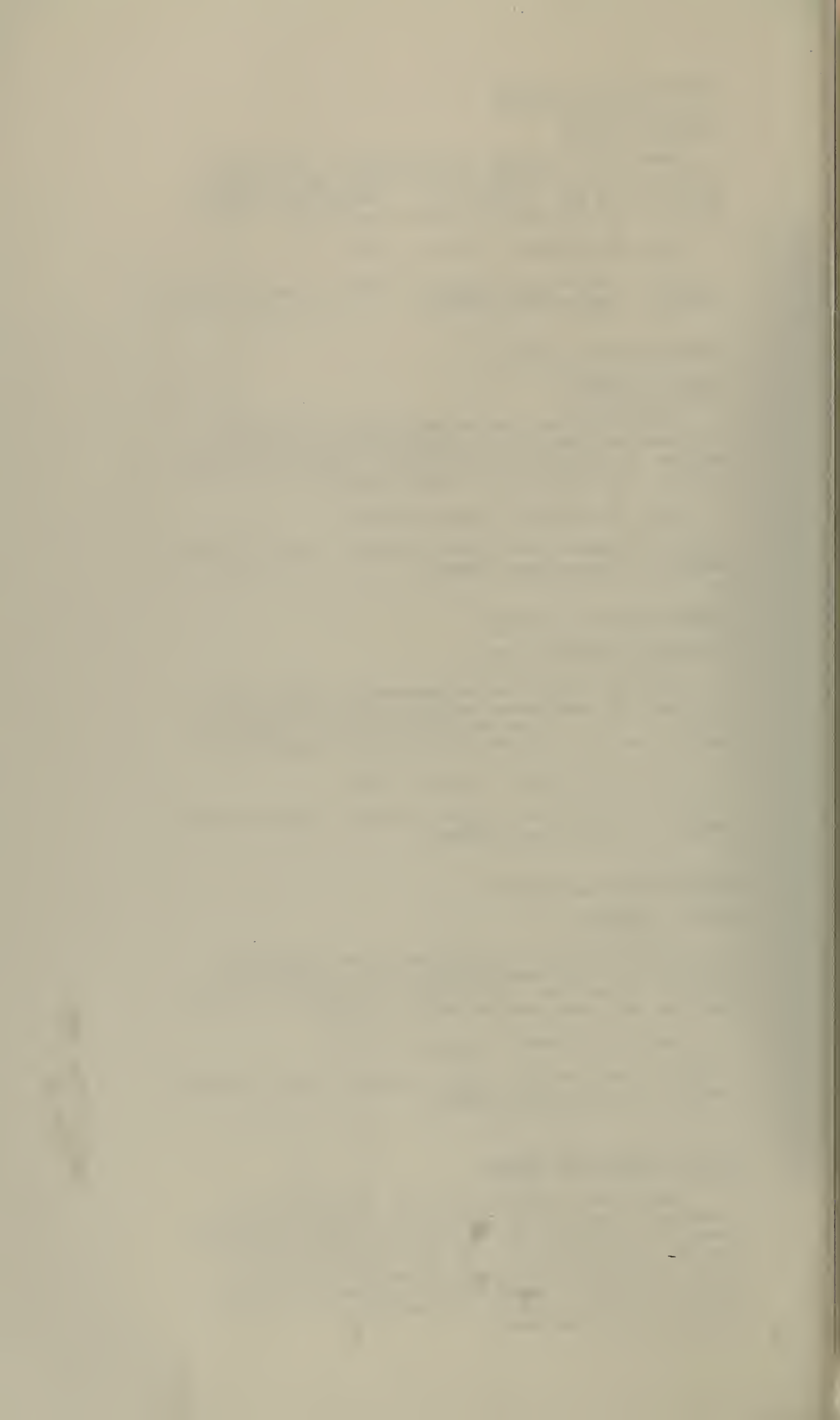
RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edna S. Herbert in the sum of \$43.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1986

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

Commissioner Sanchez advised that the Police Commission had met in Closed Session this afternoon under the Brown Act in an Attorney Client Conference and no vote was taken. He then said to the Chief that on behalf of the Police Commission that he wanted to thank him and the Department for all the effort put in to opening and dedication of the new Academy this afternoon.





Commissioner Davis said he would also like to commend the Department in that just last week the Commission was presented with the new program that the Department will participate in within the School system for Drug Information. Here, he said, we are now reading the papers regarding the young people in Oakland and their drug dealing. He said the San Francisco Police Department (SFPD) Program was very timely and he just wanted to pass on the positive comments that he has heard as a Commissioner about how the SFPD has taken the initiative to go out to the schools in this educational program. He said this was just one more commendation given to the SFPD for taking the lead in that respect.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had two items and one was dealing with the Narcotics seizure funds. He said the Department will present to the Commission a package within a week of some priorities requesting usage of those funds. He said there is approximately \$230,000 in the fund at the present time. He said the next item is to let the Commission know that the Department has released the names of all the people in San Francisco who have concealed weapons (handguns). He continued by saying there were eleven and the Department sent out a letter to every one in advance before the information was released so that they were aware that it would be coming out. Two days later he said, it was publicized in the News Media and there were no adverse effect.

#### PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL ORDER L-1, "CITIZEN COMPLAINTS AGAINST OFFICERS"

Commissioner Sanchez said the Commission has just received, this afternoon, the information on this item and it is his understanding that there has been some initial discussion between the Chief and other bodies involved. So, he said, at this point, rather than have full public discussion pertaining to what the final recommendation will be perhaps it should be calendared for next week's meeting.

Mr. John Crew of the ACLU said he would hope that the Commission, at that time, insist that this matter finally be resolved.

#### PUBLIC HEARING ON DEPARTMENT GENERAL ORDER L-2, "CITIZENS COMPLAINTS AGAINST NON-SWORN MEMBERS"

Continued one week.

#### RESOLUTION NO. 1095-86

RECOMMENDATION OF THE CHIEF THAT THE POLICE COMMISSION SUSPEND JITNEY BUS PERMIT #30 HELD BY MR. MICHELE DIPILLA FOR 3 DAYS

WHEREAS, Mr. Michele Dipilla holds Jitney Permit No. 30 issued prior to 1978, has failed to file the annual sworn statement required under MPC Section 1081, and



WHEREAS, Mr. Dipilla has received several reprimands for failure to file proof of insurance, and

WHEREAS, based on the foregoing violations, it was recommended by the Chief of Police that Mr. Dipilla be given a penalty of three days suspension of his permit, and

WHEREAS, Mr. Michele Dipilla appeared this date at the Police Commission meeting and offered mitigating circumstances to offset the reasons for his negligence, and

WHEREAS, the Police Commission, based on the findings and presentation of Mr. Dipilla, decided to deny the Chief's recommendation of three days suspension; however, issue a stern warning of the subsequent consequences if Mr. Dipilla requirements; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's recommendation of the three days suspension of Mr. Dipilla's Jitney Bus permit is hereby denied.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1096-86

SETTING OF DATE FOR HEARING OF AMENDED CHARGES  
AGAINST POLICE INSPECTOR THOMAS M. MAZZUCCO,  
INVESTIGATIONS BUREAU/JUVENILE SECTION

WHEREAS, the date for the setting of the hearing on the amended charges against Inspector Thomas M. Mazzucco, Investigations Bureau/Juvenile Section, was called it having been scheduled for this date; and

WHEREAS, the date for the hearing of the disciplinary charges filed against Inspector Thomas Mazzucco was previously set for November 13, 1986; therefore be it

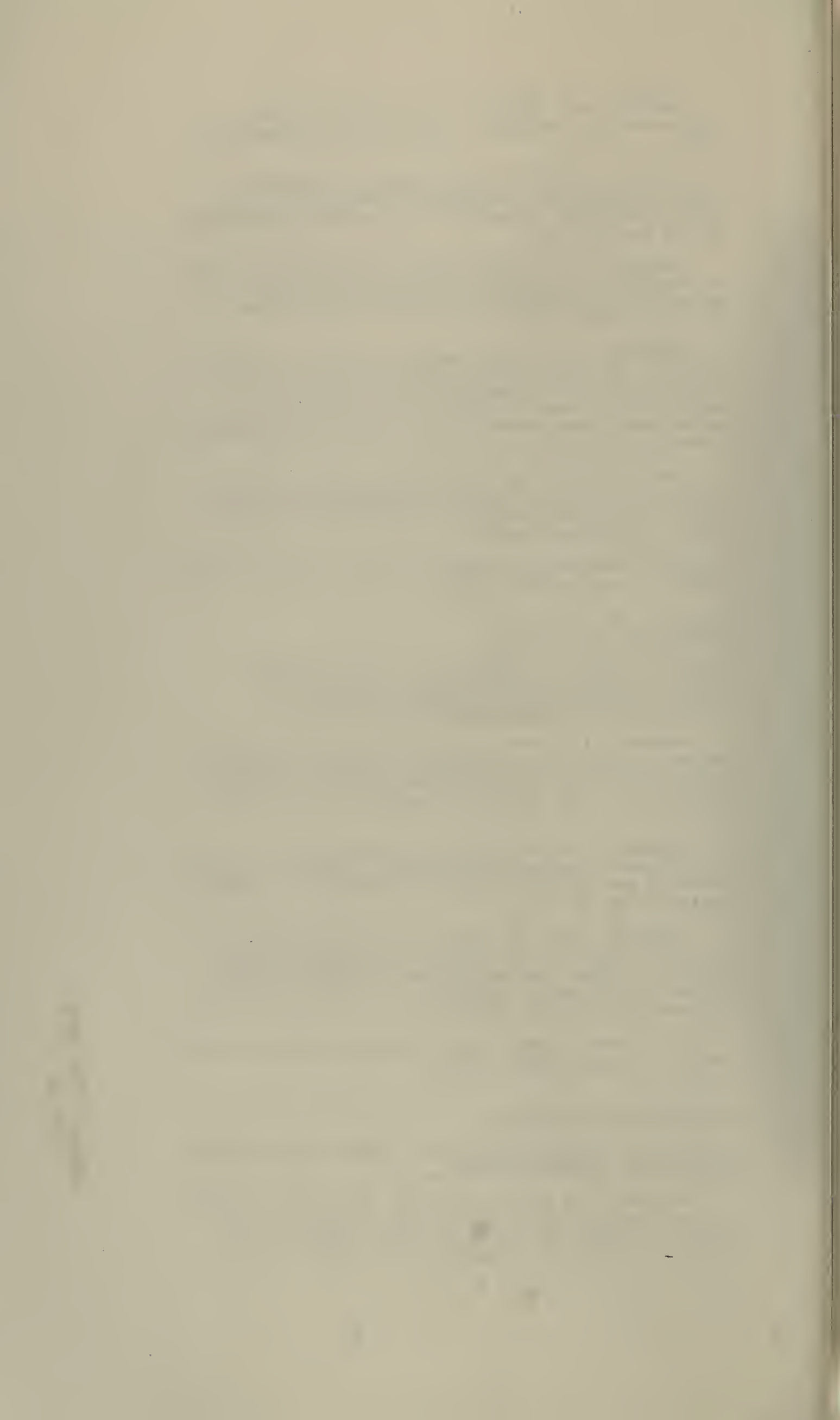
RESOLVED, that the date for the hearing on the amended charges filed against Inspector Thomas M. Mazzucco, Investigations Bureau, Juvenile Section, is set for Thursday, November 13, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1097-86

SETTING OF DATE FOR HEARING OF POLICE OFFICE MICHAEL  
HARRINGTON, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael Harrington, Potrero Station, was called it having been scheduled for this date; and





WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Michael Harrington be set for October 30, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Michael Harrington, Potrero Station, is set for Thursday, October 30, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1100-86

REQUEST FOR CONTINUATION OF HEARING ON POLICE  
OFFICER WALTER D. CUDDY, POTRERO STATION

WHEREAS, a request was received from Mr. Stephen Bley, Attorney at Law, representing Police Officer Walter D. Cuddy, requesting continuation of the hearing on the disciplinary charges filed against Police Officer Walter D. Cuddy, Potrero Station; and

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Walter D. Cuddy was previously set for October 30, 1986; and

WHEREAS, Mr. Lance Russell, on behalf of Mr. Stephen Bley, requested the date for the hearing of the disciplinary charges filed against Officer Walter D. Cuddy be set for January 15, 1987; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Walter D. Cuddy, Potrero Station, is set for Thursday, January 15, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1101-86

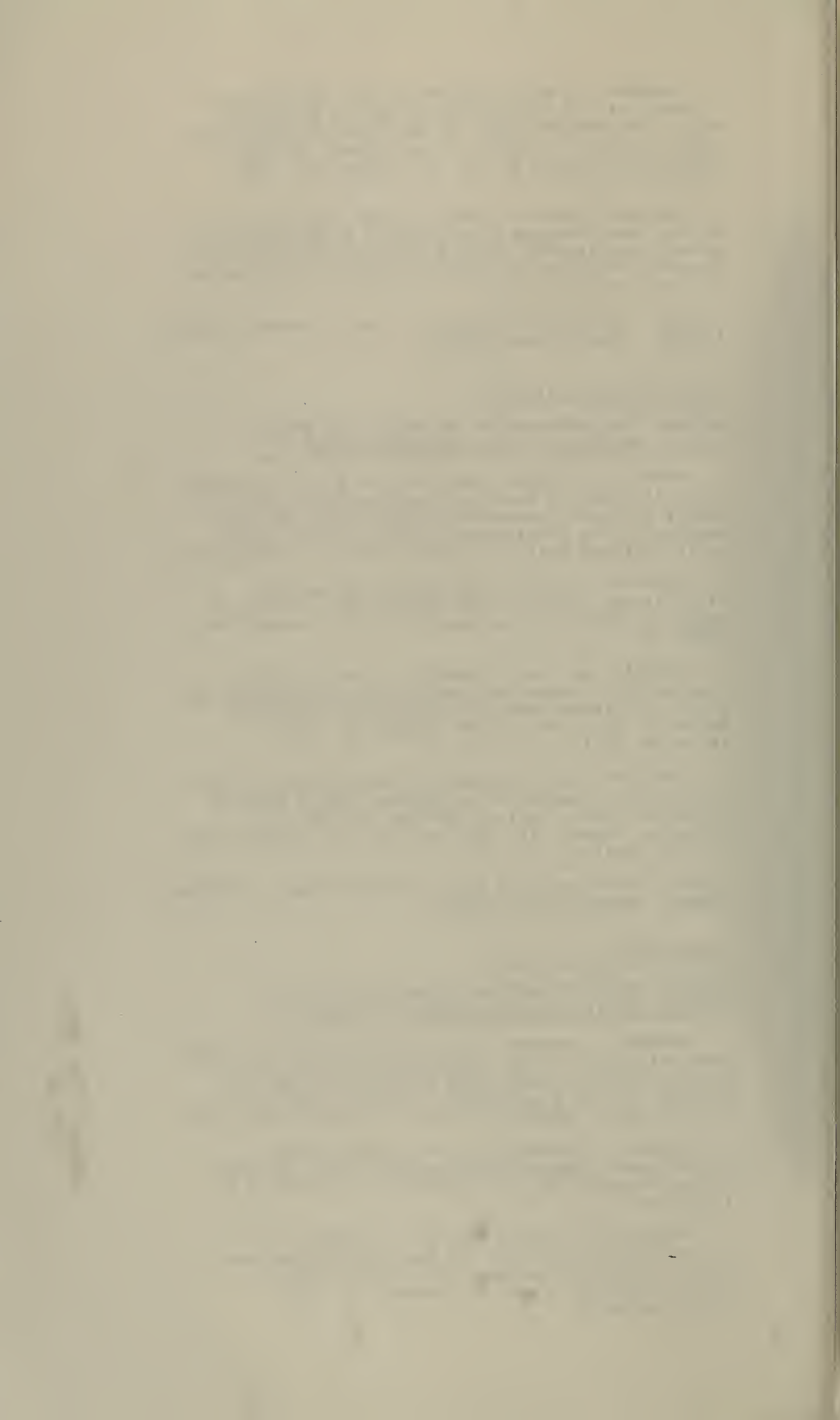
REQUEST FOR CONTINUATION OF HEARING ON POLICE  
OFFICER MICHAEL REESINK, POTRERO STATION

WHEREAS, a request was received from Mr. Stephen Bley, Attorney at Law, representing Police Officer Michael Reesink, requesting continuation of the hearing on the disciplinary charges filed against Police Officer Michael Reesink, Potrero Station; and

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Michael Reesink was previously set for October 30, 1986; and

WHEREAS, Mr. Lance Russell, on behalf of Mr. Stephen Bley, requested the date for the hearing of the disciplinary charges filed against Officer Michael Reesink be set for January 15, 1987; therefore be it





RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael Reesink, Potrero Station, is set for Thursday, January 15, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1093-86

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$317,560 TO FUND FOOT PATROL TO ENHANCE NARCOTIC ENFORCEMENT

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation amounting to \$317,560 to fund Extended Work Weeks. The requested funds will be used to provide foot patrol in neighborhoods adversely affected by street narcotic sales.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1094-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DANIEL BAKER, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Daniel Baker, Central Station, as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daniel Baker, Central Station, is scheduled for Thursday, October 30, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1098-86

HEARING OF POLICE OFFICER ARLENE GEORGE, SUPPORT SERVICES, WARRANT BUREAU

WHEREAS, the hearing of Police Officer Arlene George, Support Services, Warrant Bureau, was called it having been set for this date.

WHEREAS, Officer Arlene George appeared in person and was represented by Sergeant Joyce Watkins, and



WHEREAS, Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department; and

WHEREAS, Chief of Police Frank M. Jordan requests the matter be withdrawn from the Police Commission calendar at this time because of the fact that General Order B-1 is in the process of being revised, and the subject will be returned to the Police Commission calendar upon adoption of the revised General Order; therefore be it

RESOLVED, that the charges filed against Police Officer Arlene George, Support Services, Warrant Bureau, is continued off calendar until at such time that the Chief of Police feels it necessary to return it to the calendar.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

RESOLUTION NO. 1099-86

STATUS REPORT ON POLICE OFFICER LARRY MURDOCK,  
MISSION STATION

WHEREAS, the status report of Police Officer Larry Murdock, Mission Station, was called it having been set for this date.

WHEREAS, Officer Larry Murdock appeared in person and was represented by Mr. Lance Russell, Attorney at Law.

WHEREAS, Lieutenant Thomas Murphy, Personnel Division, appeared on behalf of the San Francisco Police Department; and

WHEREAS, Chief of Police Frank M. Jordan requests the matter be withdrawn from the Police Commission calendar at this time because of the fact that General Order B-1 is in the process of being revised, and the subject will be returned to the Police Commission calendar upon adoption of the revised General Order; therefore be it

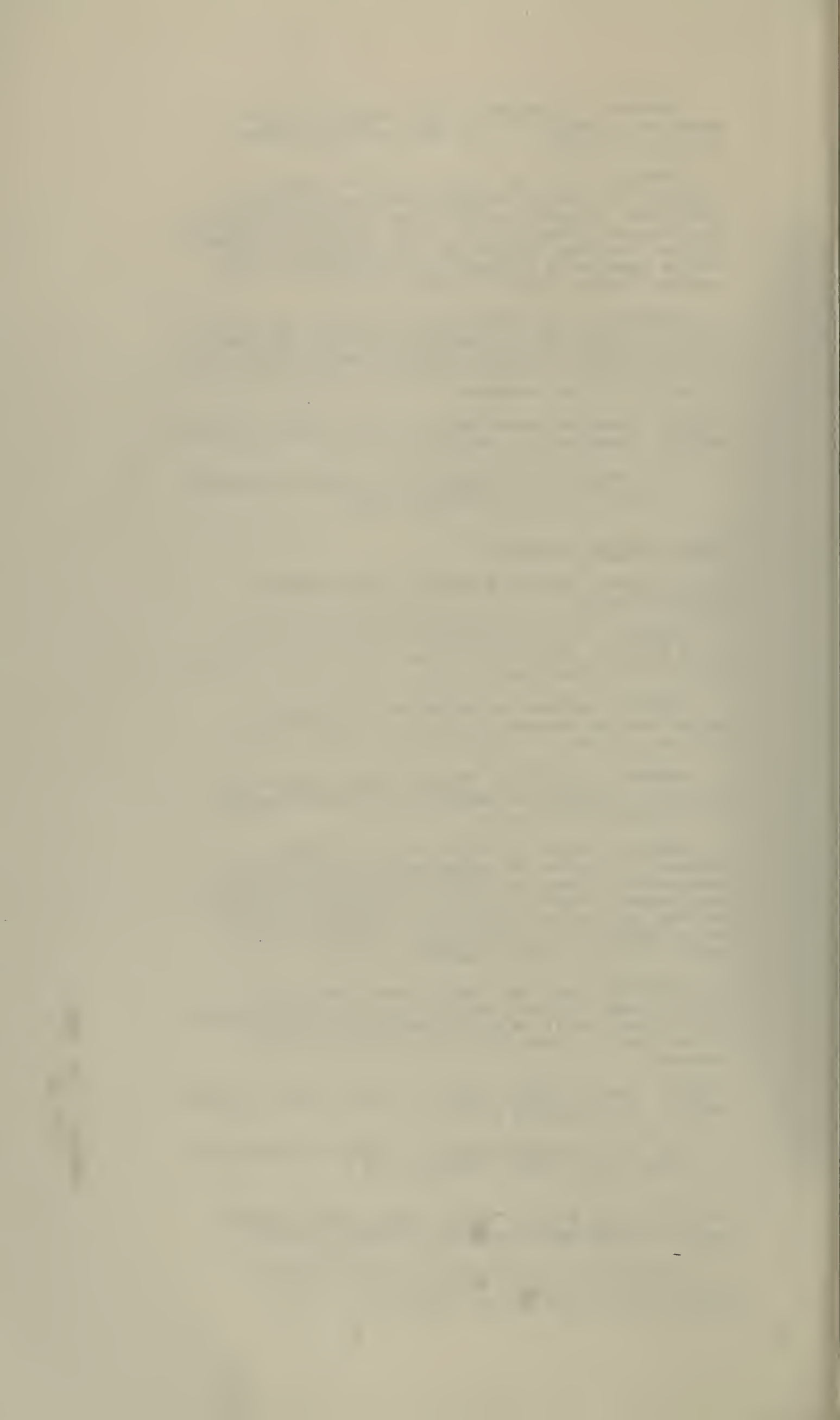
RESOLVED, that the status report on Police Officer Larry Murdock, Mission Station, is continued off calendar until at such time that the Chief of Police feels it necessary to return it to the calendar.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST  
POLICE OFFICER HARUKI MASTERS, POTRERO STATION

The matter of the hearing of Police Officer Haruki Masters, Potrero Station, was called it having been scheduled for this date.





Police Officer Haruki Masters appeared in person and was represented by Mr. Martin Lurie, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Michael Gash.

An opening statement was reserved by Attorney Martin Lurie until opening of the defense case.

The following named witnesses were called by the Prosecution, were sworn and testified:

Sergeant William Hardeman	Management Control Division
Sergeant Quinn Jones	Management Control Division
Dr. Norman Steiner	Personnel Office
Sergeant David Robinson	Narcotics Division

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1-1A through Exhibit #1-I	Color Photos of Officer Officer Masters right and left arms.
Exhibit #2-2A through Exhibit #2-F	Color Photos of Officer Masters.
Exhibit #3	Intra-departmental Memorandum by Dr. Norman Steiner dated 08/25/86 regarding Officer Haruki Masters.
Exhibit #4	Intra-departmental Memorandum by Sergeant/Inspector David Robinson (Evaluation of Officer Masters).

The following exhibits were entered into evidence by the Defense:

Exhibit #A	University of California (U.C.) Medical Report, dated 07/16/86.
Exhibit #B	San Francisco City and County Coroner Toxicology Report, dated 08/19/86, on Officer Masters.

After listening to testimony from the above parties, the Commission then adjourned at 2111 hours and the matter was continued to Monday, November 3, 1986 at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)



Recesses taken during the hearing of Police  
Officer Haruki Masters:

7:15 p.m. to 7:20 p.m.

8:56 p.m. to 9:00 p.m.

The meeting, thereafter, was adjourned. *AT 10:00 pm*



LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



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= Minutes  
OCTOBER 30, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 30, 1986 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

AYES: Commissioners Davis, Giraudo, Owens, Nelder, Sanchez

Commissioner Sanchez presiding.

OCTOBER 30, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 30, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Owens, Nelder, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 11, 1986

Approval of Minutes of Meeting of September 11, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1137-86

AETNA CASUALTY & SURETY CO. (INSURED: JANE T. MORRISONS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aetna Casualty & Surety Company (Insured: Jane T. Morrisons) in the sum of \$4,999.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 10, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1138-86

LIANGKIE TJHO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Liangkie Tjho in the sum of \$1,800.00 as the result of damages sustained, be, and the same is hereby approved.

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Date of Incident: November 10, 1984

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

RESOLUTION NO. 1139-86

GEICO INSURANCE CO. (INSURED: ERNEST M. TAKEUCHI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Geico Insurance Company (Insured: Ernest M. Takeuchi) in the sum of \$994.12 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

RESOLUTION NO. 1140-86

DEMETRIOS J. BIDZOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Demetrios J. Bidzos in the sum of \$968.96 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 29, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

RESOLUTION NO. 1141-86

CHRISTOPHER HOLT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher Holt in the sum of \$699.28 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 7, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

RESOLUTION NO. 1142-86

PAUL SHAIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Shain in the sum of \$580.20 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 11, 198

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

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RESOLUTION NO. 1143-86

LEON WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leon Wilson in the sum of \$472.36 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1144-86

MANJALA D. GOVENDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Manjala D. Govender in the sum of \$173.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1145-86

JEWEL MASON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jewel Mason in the sum of \$156.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 26, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met in Closed Session this afternoon in an Attorney Client Conference and no vote was taken.

He said the special meeting the Commission calendared for 5:00 PM Monday, November 4, 1986, has caused some scheduling difficulties so he called for a motion to continue this hearing to a more convenient date for all concerned. Commissioner Giraudo said he would make the motion to continue the hearing and request that Lt. Frazier pick a mutual convenient date agreeable to all parties. (The date for this hearing of Disciplinary Charges against Police Officer H. Masters was subsequently set for Monday, November 17th at 5:00 p.m.)

Commissioner Nelder then said that on Thursday, November 6, 1986, at 5:30 p.m. the Commission is scheduled to hear the Woo matter and at the same time the Public Convenience and Necessity Hearings for the issuance of New Cab Permits is also scheduled. He said he would suggest that the Woo matter be rescheduled also. (This was subsequently set for December 8, 1986, at 9:30 a.m.)





Commissioner Sanchez said today was a celebration for the 10th year of Project SAFE (Safety Awareness for Everyone) which has been an integral part of the San Francisco Police Department. He said it seems that it was a short while ago when the Lieutenant in Charge is now our present Chief Frank Jordan. He said the Commission was very pleased to be participants as far as sharing in some of the awards given to the civilian he wanted to offer a job well done to the Chief as he was one of the key movers in getting Project SAFE started 10 years ago.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said the only item he had planned to discuss was the Project SAFE 10th year Celebration but since Dr. Sanchez had already discussed it further comment was not necessary.

#### POLICE COMMISSION DISCUSSION AND POSSIBLE DECISION ON THE PROPOSED AMENDMENTS TO THE OFFICE OF CITIZENS COMPLAINTS INVESTIGATIVE HEARING RULES

Director Frank Schober said he was requesting the Police Commission to put this over for another week, if possible, as a question has risen and is currently being discussed with City Attorney who will respond concerning their proposed rule, 5A 1. He said they indicated that they will come back with a clarification of that rule concerning confidentiality of Hearings on Monday.

Commissioner Sanchez advised that next week the Commission will be engaged in Public Convenience and Necessity Hearings that must be held upstairs in the 6th floor auditorium and because of that it is recommended that this be continued for two weeks. Commissioner Giraudo motioned for a two weeks continuance, it was seconded and unanimously approved.

#### PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL ORDER L-1 "CITIZEN COMPLAINTS AGAINST OFFICERS"

Continued to November 13, 1986.

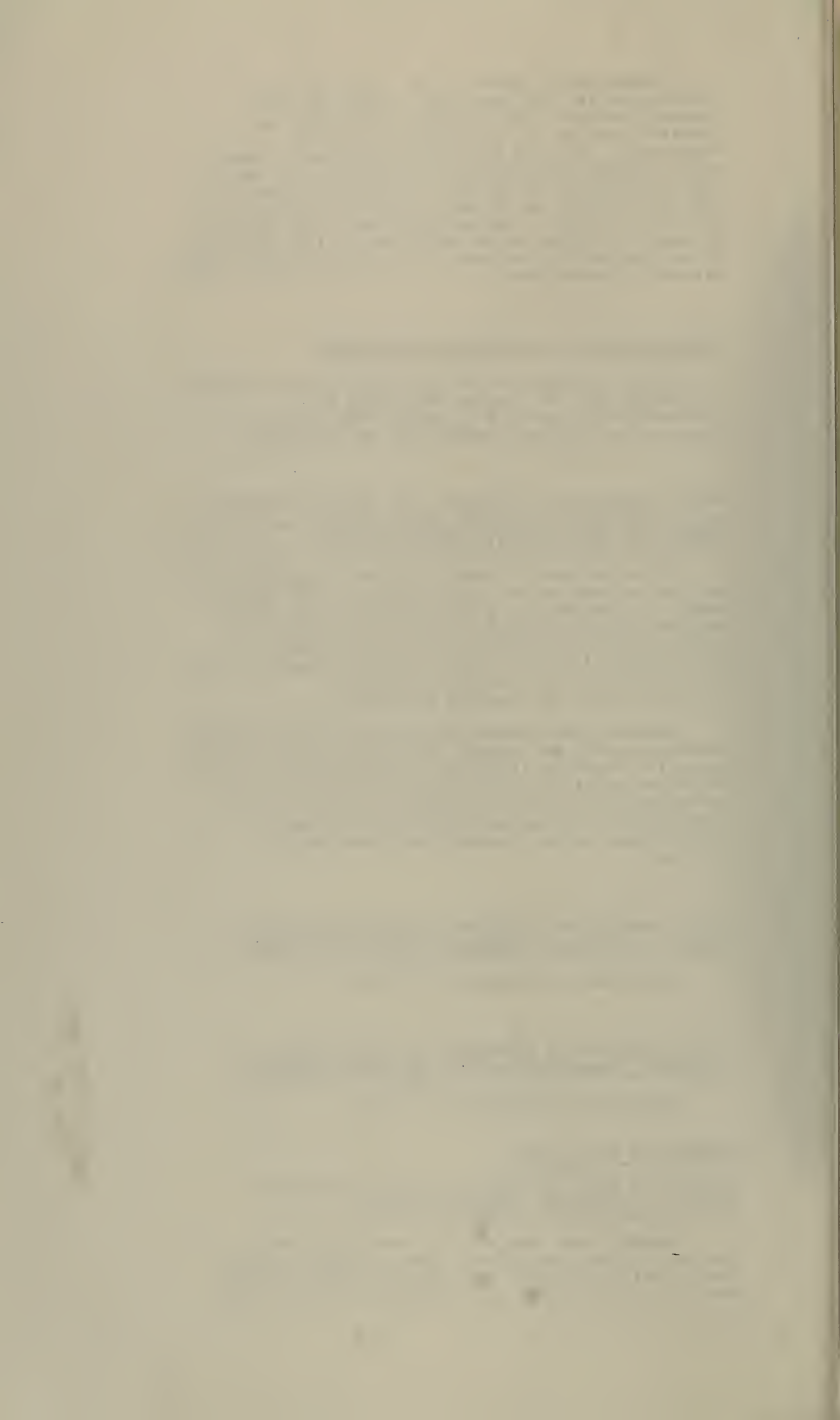
#### PUBLIC HEARING ON DEPARTMENT GENERAL ORDER L-2, "CITIZENS COMPLAINTS AGAINST NON-SWORN MEMBERS"

Continued to November 13, 1986.

#### RESOLUTION NO. 1134-86

#### SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL HARRINGTON, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael Harrington, Potrero Station, was called it having been scheduled for this date; and



WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Michael Harrington be set for November 20, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Michael Harrington, Potrero Station, is set for Thursday, November 20, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1135-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER DANIEL BAKER, CENTRAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daniel Baker, Central Station, was called it having been scheduled for this date; and

WHEREAS, Chief of Police Frank M. Jordan requests the matter be withdrawn from the Police Commission calendar at this time because of the fact that General Order B-1 is in the process of being revised, and the subject will be returned to the Police Commission calendar upon adoption of the revised General Order; therefore be it

RESOLVED, that the charges filed against Police Officer Daniel Baker, Central Station, is continued off calendar until at such time that the Chief of Police feels it necessary to return it to the calendar.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

PUBLIC HEARING ON REVISION OF POLICE DEPARTMENT INFORMATION BULLETIN ON LIGHT DUTY POLICY

Lt. Tom Murphy, Commanding Officer Personnel advised the Commission on the need for the amendment to this policy. He said the Department has established a Committee as is shown in the proposal containing 4 or 5 members from the Administration and one member representing the San Francisco Police Officers Association (SFPOA). He said the Committee will evaluate an Officer's injury and if it meets the criteria of the Policy then that member will be taken out of his light duty assignment and placed in a non budgeted position. That way, he said, the Department can make the representation to the Retirement Board that there is no light duty for this member and that he should be retired. He said the Department feels that that will enable the Department to take people who shouldn't be working and have them retire freeing the position for hiring a full duty Officer. He said those two areas are the main revision in the 1982 Policy.

After further discussion Commissioner Davis said he would make a motion to accept the recommendation to amend the current Light Duty Policy. It was seconded and unanimously approved.





RESOLUTION NO. 1136-86

WHEREAS, the Police Department is charged with the duty to protect life and property, to pursue the peace, to prevent crime, to enforce criminal laws and ordinances, and to regulate non-criminal conduct as provided by law or ordinance, and

WHEREAS, the Police Commission determines that this charge and duty is best accomplished when all police officers are capable of performing full police duties, and

WHEREAS, the number of San Francisco police officers on disability status has an adverse impact on the ability of the Department to deliver police services, and

WHEREAS, the number of San Francisco police officers on disability status is consistently "high" in relation to the Department's authorized strength, and the number of police officers on permanent light duty as a result of serious injuries or illnesses is growing to unacceptable numbers, and

WHEREAS, the purpose of this light duty policy is to permit the San Francisco Police Department to retain members who had been injured but will recover to resume normal duty within the reasonably foreseeable future and to utilize their services.

RESOLVED, that it is the policy of the San Francisco Police Department that a sworn member who sustains a disabling injury or illness and who is limited from performing the normal duties of his or her classification shall, after certification by his or her attending physician or the police physician, with the concurrence of the Chief of Police, be released to light duty within the Department; provided that all cases wherein the attending physician withholds certification but the police physician certifies shall be referred to an appropriate medical specialist selected by the Employee Retirement System of the City and County of San Francisco for evaluation and determination of the medical or physical ability of the officer to perform in a light duty capacity; and be it further

RESOLVED, that member released to light duty shall be assigned to positions within the Department consistent with their medical restrictions, rank, job skills and the Department priorities as defined by the Chief of Police; and be it further

RESOLVED, that members, with serious disabilities, who failed to convalesce to full duty may apply to the Department's Duty Evaluation Committee for a review of their work status. The Committee shall convene within thirty days of said application, if the Committee, after an informal hearing of the application, determines that the disability is serious, permanent and stationary, and without prospect of recovery, the member shall be reassigned to a temporary, non-budgetary assignment pending separation and shall be recommended to the Retirement Board for disability retirement. The Police Department shall certify to the Retirement Board that there is no light duty available for the member.





The Disability Evaluation Committee shall be composed of the following:

1. Deputy Chief of Administration, Chair
2. Commanding Officer, Personnel Division
3. Personnel Sergeant
4. Police Physician
5. A member designated by the Police Officers' Association


For a disability to be serious, it must be rated or rateable at fifty percent (50%) or more according to the Workers' Compensation Appeals Board's permanent disability rating standards or must be rated or rateable at substantially fifty percent (50%) with factors of disability or other relevant factors clearly establishing the seriousness of the disability when considered in light of police occupational duties.

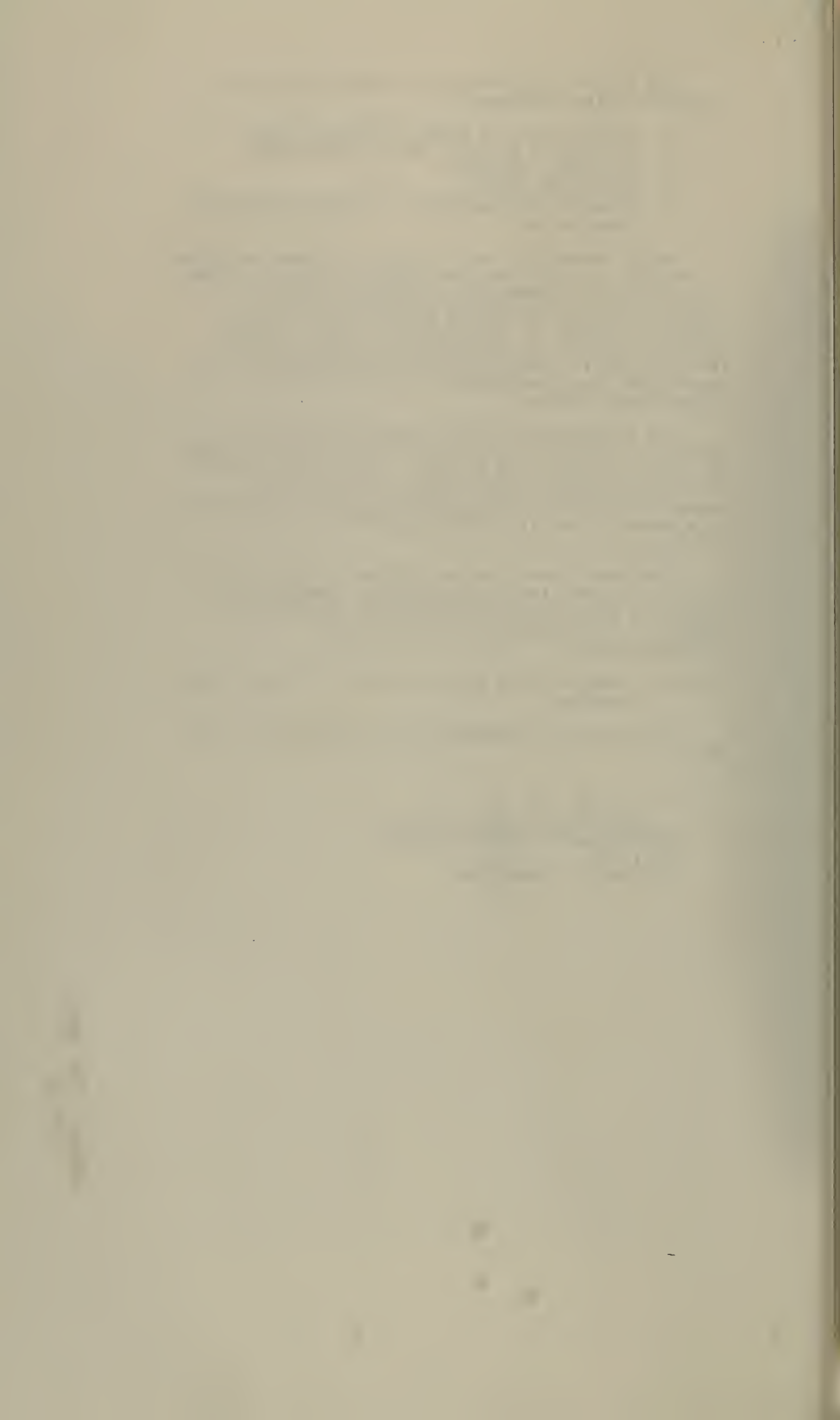
For a disability to be without prospect of recovery, it must result in at least eighteen months of light duty work and it must, in accordance with reasonable medical probability, result in no reasonable prospect for a return to full duty prior to a member's earliest retirement date, and be it further

RESOLVED, where lack of approval from the Duty Evaluation Committee is forthcoming, members may request a hearing before the Police Commission for review of the Committee's findings and recommendations.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

The meeting, thereafter, was adjourned at 6:40 PM.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION



SF  
P45  
#2  
10/31/86  
Cancelled


DOCUMENTS DEPT.

OCT 30 1986

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PUBLIC LIBRARY

THE POLICE COMMISSION MEETING OF OCTOBER 31, 1985

WAS CANCELLED.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





45  
2  
6/86

*Minutes*

NOVEMBER 6, 1986

REGULAR MEETING

The ~~Police~~ Commission of the City and County of San Francisco met in the 6th Floor Auditorium, Hall of Justice, 850 Bryant Street, on Thursday, November 6, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

JAN 26 1987

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 18, 1986

SAN FRANCISCO  
PUBLIC LIBRARY

Approval of Minutes of Meeting of September 18, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1148-86

MICHELE DENNIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michele Dennis in the sum of \$110.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1149-86

KIM SUNG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kim Sung in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1150-86

J. J. BERGOVOY

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of J. J. Bergovoy in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



Date of Incident: August 20, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1156-86

ABC TOWING (MEIR SCHNEIDER)

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of ABC Towing (Meir Schneider) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1157-86

ABC TOWING (CARLOS DERAS)

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of ABC Towing (Carlos Deras) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of incident: September 10, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1158-86

AMALIO VILLARREAL

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Amalio Villarreal in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

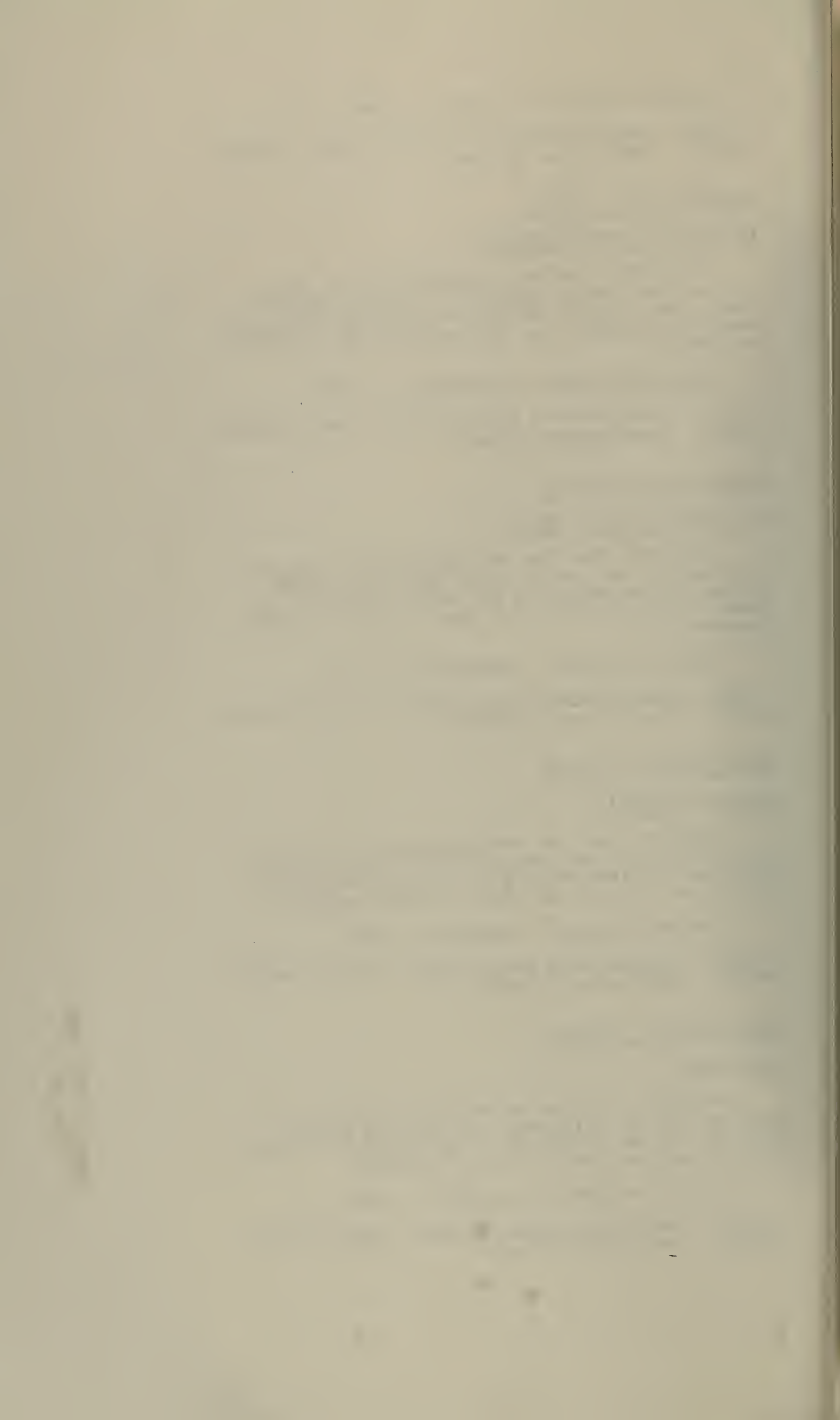
RESOLUTION NO. 1159-86

JOHN RILEY

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of John Riley in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 1160-86

ABC TOWING (CARLOTTE CALDWELL)

Resolved, that the recommendation of the City Attorney for the settlement of the claim of ABC Towing (Charlotte Caldwell) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1161-86

ABC TOWING (DENNIS SMITH)

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of ABC Towing (Dennis Smith) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1162-86

PATRICIA M. CARROLL

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Patricia M. Carroll in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1163-86

MELISSA E. HUGHES

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Melissa E. Hughes in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1164-86

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Yellow Cab Co-op, Inc. in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.





Date of Incident: September 27, 1986

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

No report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said that he wanted to mention to the Commission that an item on the ballot of November 4, 1986, Proposition I was passed by the voters changing the way Police Officer and Firefighters wages are determined. He said in the next week of so the Commission would be entertaining, at his request, a supplemental appropriation to provide for an increase of Police Officers salaries in accordance with that ballot measure.

RESOLUTION NO. 1146-86

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DONNIE CARTWRIGHT, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Donnie Cartwright, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to make a report to his Commanding Officer of a crime which came to his attention (violation of Rule A-26 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Donnie Cartwright, Mission Station, is scheduled for Thursday, November 13, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



RESOLUTION NO. 1147-86

HEARING OF POLICE OFFICER RICHARD WOO,  
COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of October 9, 1986; and

WHEREAS, Mr. William Murphy, representing Officer Richard Woo, requested the date for the hearing of the disciplinary charges filed against Officer Richard Woo be continued to December 1, 1986; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Richard Woo, Communications Division, is continued to Monday, December 1, 1986 at 6:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo

PUBLIC HEARING ON PUBLIC CONVENIENCE AND NECESSITY  
FOR THE ISSUANCE OF ADDITIONAL TAXICAB PERMITS

LT. FRAZIER: Item number 9, Public hearing on Public Convenience and Necessity for the issuance of additional taxicab permits.

PRESIDENT SANCHEZ: Before the Commission proceeds with our public hearing pertaining to need and necessity, let me just explain for everyone this evening who wishes to speak what our procedures have been in the past and will continue to be so.

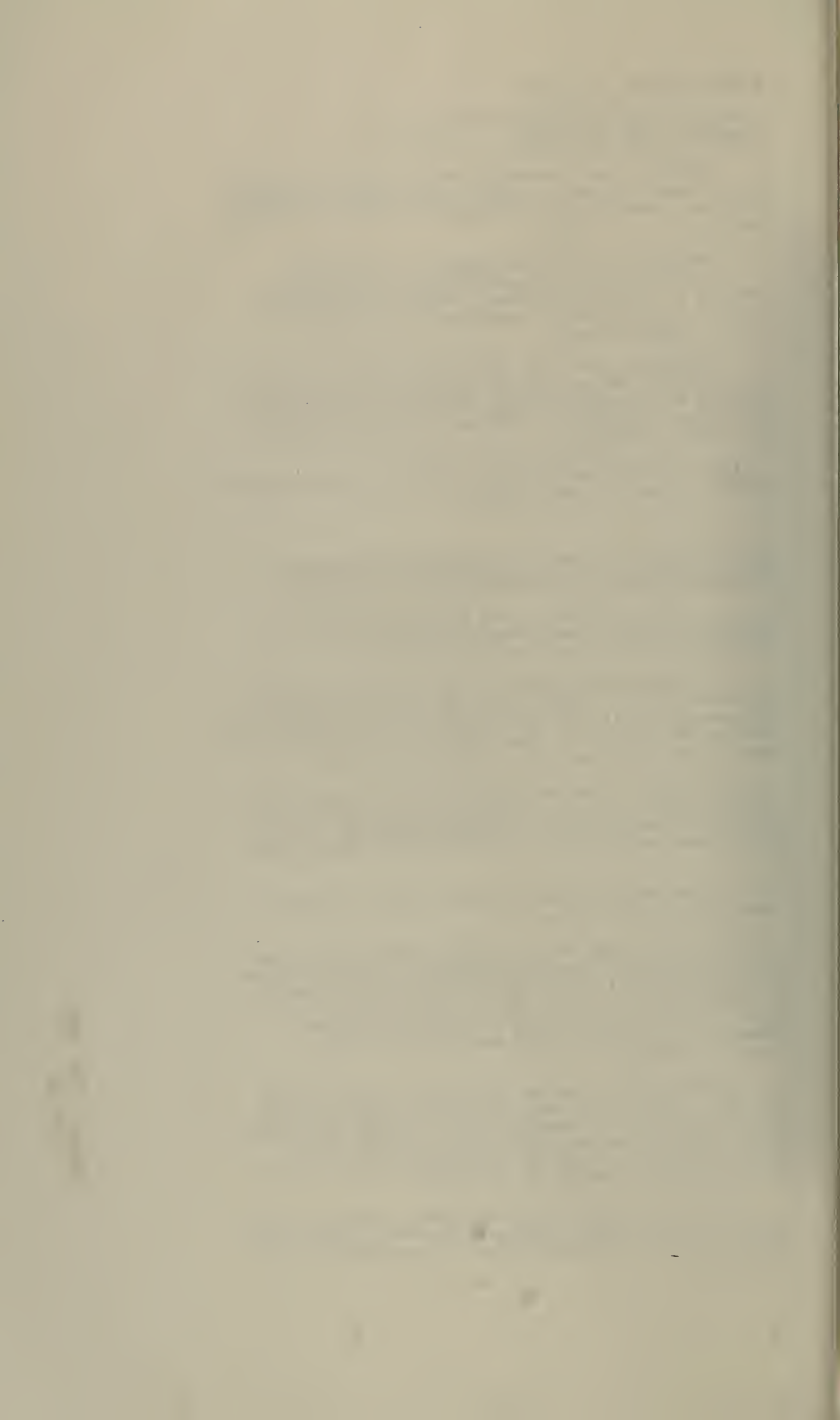
Each person has an opportunity to sign up as a speaker with Lt. Frazier, the gentleman to my right, and has an opportunity to speak pertaining to the public need and necessity as defined by Proposition K.

If you wish to speak against you're allowed to speak or for, whatever.

The only thing we have always stressed in our Police Commission hearings pertaining to this matter is that each individual that comes to the podium has an opportunity to speak their mind whether we all agree or disagree and that we refrain from any comments in the auditorium pertaining to that person's comments.

We have never had any difficulty with this in the past. We've had some spirited exchanges in the past pertaining to comments, but everyone has always had a right to address the Commission and share their thoughts pertaining to Proposition K under is the City Charter which was approved.

So again, we ask that everybody cooperate with this so we can insure that everybody who signs up to speak does have an opportunity to speak and we will proceed on.





In the past we have also limited our discussion primarily because of the great numbers of people who wish to address the Commission.

With the consent of the Commission or the three of us here this evening, I would like to set a four minute rule, if you would consider that, and Commission Nelder, if in fact you could notify the speakers that they have one minute left, that way they could give us their summation.

This does not deprive you of submitting something in writing to the Commission either now or later on which will become part of our record for our review.

The Commission will not be voting this evening pertaining to our findings of fact because as has been our past practice, the public needs and necessity hearings are in fact hearings where we listen to both the pro, the con, the data that is presented for review and then in the past sometimes before the Department proceeds on and review the materials and come back to the Commission after a thorough review with some specific recommendations or options for us to consider. These are all done in a public meeting, in a public forum and we will not deviated from that process which we have done over the past few years.

Because in essence we do have a new Commission, three new Commissioners who sit on our board, I do hope that many of you who are addressing the issues will again stress the basis of the issue as it relates to public need and necessity so the record can be established for all of us to review.

Again if you don't have enough time under the four minute rule, you do have an opportunity to submit in writing to the Commission for our review any comments you may have.

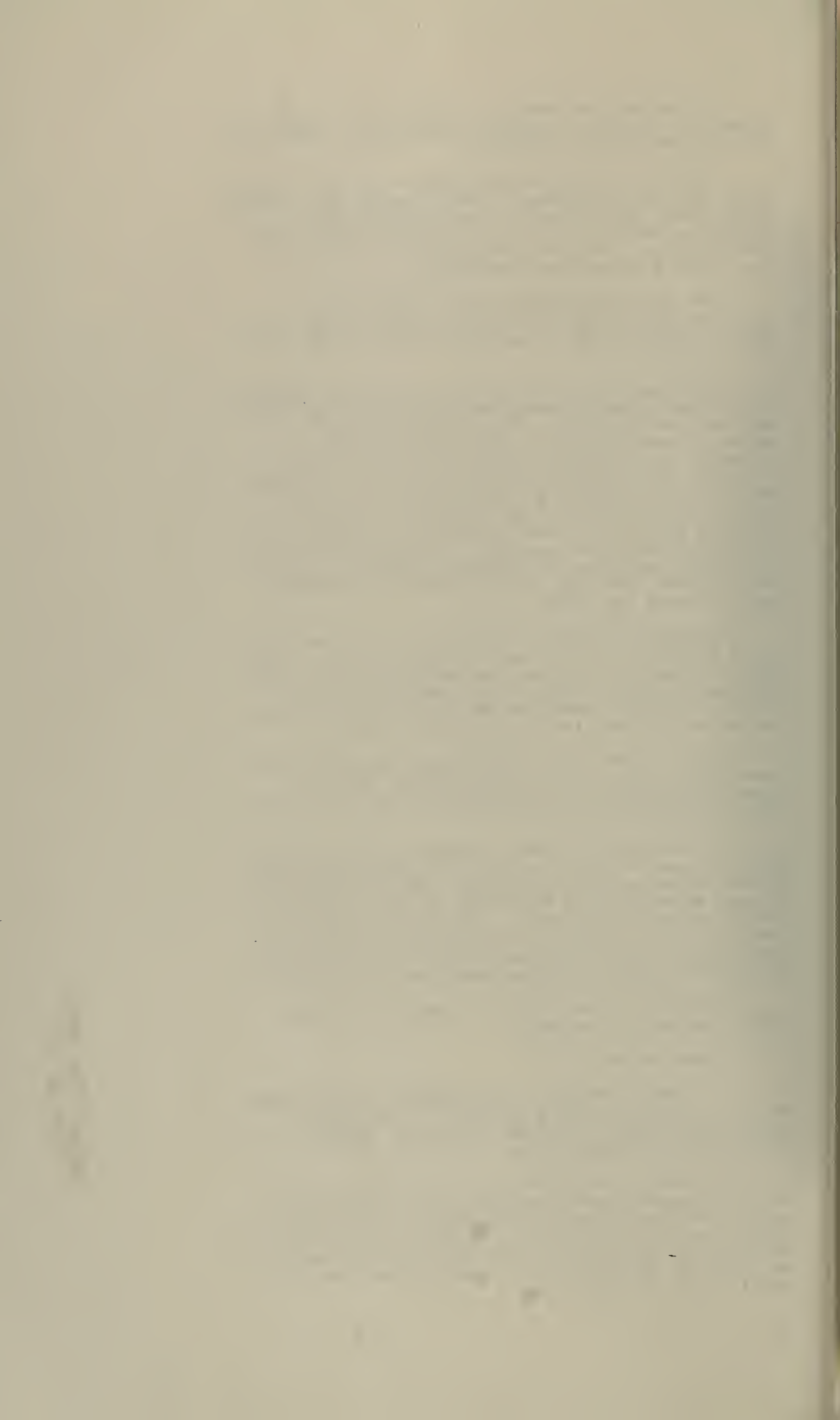
If there's no further discussion why don't we just ask now if there are other people who have not signed up to speak this evening. We will take about a three minute recess before we proceed with the public necessity hearings. You have a chance to come up to Lt. Frazier or Officer Suslow who will be available to put your name on the list and then we will start calling off the names two at a time.

So three minutes before we proceed with the public necessity hearing.

(Brief recess).

PRES. SANCHEZ: Procedurally the Lieutenant will call two names at a time and if the person could stand behind the other person in speaking. We do have a four minute rule.

Lieutenant, is it possible to have one of our officers stand toward the back with a note pad in case other people come in and wish to speak they can sign up at the door and we can bring it or to you and that way we won't have to interrupt the speakers as they are sharing their thoughts pertaining to public need and necessity.



What we will do, we will first hear from those who are speaking in favor of public need and necessity. If the Lieutenant could read off the names and basically when you come to the microphone, if you could please give us your name and if you're speaking as an individual or representing an organization or group and then your four minutes will start and you can tell us about public need and necessity and if in fact it is being met or not being met and whether it should be increased or decreased.

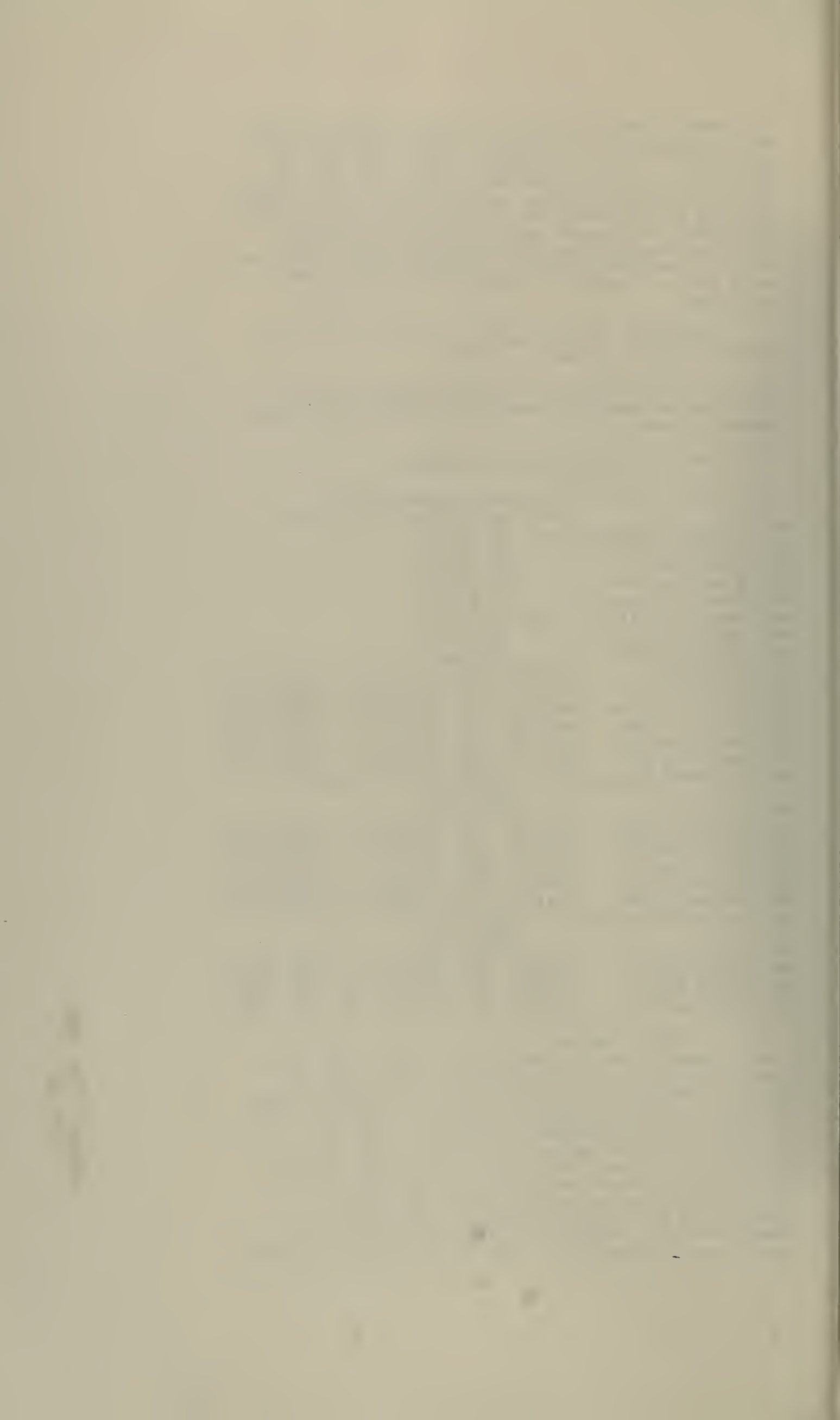
Lieutenant, do you want to read the first two names for those speakers in favor.

LT. FRAZIER: The first names who have signed up to speak in favor are Mark Natividad and Janusz Zelasny.

Other speakers were as follows:

Mr. Yosedek Desta	(Deferred speaking until next meeting on the issue)
Mr. George Fanourgiakis	IN FAVOR
Mr. Solom Tesfa	IN FAVOR
Mr. David Zeff	IN FAVOR
Mr. Moon You Hom	IN FAVOR
Mr. Newell Heywood	IN FAVOR
Mr. Mesfin Haile	(did not speak)
Mr. Markos Tafesse	IN FAVOR
Mr. George Somers	NEUTRAL
Mr. Hal Muskat	AGAINST THE ISSUANCE OF MORE CABS
Mr. Al Hall	AGAINST THE ISSUANCE OF MORE CABS
Mr. Sean O'Fallbee	AGAINST THE ISSUANCE OF MORE CABS
Mr. David Frankel	AGAINST THE ISSUANCE OF MORE CABS
Mr. Keith Raskin	AGAINST THE ISSUANCE OF MORE CABS
Mr. Mark Giorgi	AGAINST THE ISSUANCE OF MORE CABS
Mr. Richmond Loewinsohn	AGAINST THE ISSUANCE OF MORE CABS
Mr. Julian Logos	AGAINST THE ISSUANCE OF MORE CABS
Mr. Geoffrey Mann	AGAINST THE ISSUANCE OF MORE CABS
Miss Rua Graffis	AGAINST THE ISSUANCE OF MORE CABS
Mr. Hadi Yassin	AGAINST THE ISSUANCE OF MORE CABS
Mr. Richard Hack	AGAINST THE ISSUANCE OF MORE CABS
Mr. Joe Mirabile	AGAINST THE ISSUANCE OF MORE CABS
Mr. Robert Richardson	AGAINST THE ISSUANCE OF MORE CABS
Ms. Joy Kennedy	AGAINST THE ISSUANCE OF MORE CABS
Mr. Henry Stern	AGAINST THE ISSUANCE OF MORE CABS
Mr. David Boyer	AGAINST THE ISSUANCE OF MORE CABS
Mr. Paul Candela	AGAINST THE ISSUANCE OF MORE CABS

PRES. SANCHEZ: At this point, I'd just like to make a few observations and also have the Commission make any observations, because we're going to be continuing this matter on calendar for December 11th and also I think the Chief would like to make a few statements or whatever. But in essence, this hearing was not "set up" in order to issue or not issue. This hearing has been set up according to our calendar and in conjunction with the City Attorney as we have over the years to comply with the letter of the law and this Commission as a body must listen and will listen to public need and necessity and all testimony so given.





For the sake of our new Commissioners on board we have heard some comments tonight, some poetry, some whatever. I will just share with all of you, that we have sat through many, many hours of public hearings dealing with taxicab rules, regulations, whatever. The Mayor has been here herself and other members of our government bodies and many comments were made where everybody had an opportunity to address through the mike many points of this grievance, et cetera, et cetera. But really all citizens who have taken time out to come to these hearings have always maintained themselves in the highest standards in addressing this Commission and the Commission again wishes to thank all of you tonight for coming out and spending a good part of four hours even though there might be some statements made that many of you may have disagreed or whatever, I think everyone did get a fair shake and an opportunity to speak for the record.

We are not through with this record however because we still have to continue with a number of others who have made the statement and written letters, etc., and this will continue December 11th.

At the end of our hearing process, the Commission then begins to discuss and deliberate and ask questions regarding to our own oversight regarding K and the taxi industry and need and necessity.

There was a reminder that basically the last time we did require a study to be done pertaining to the impact of the 50 permits and utilization of same. We will be asking the Chief for some of that data, along with some other materials so this way we can look at it rationally and objectively pertaining to all of your testimony you have given us both tonight and on December 11th.

So there will not be a vote taken tonight nor probably on December 11th because we will conclude our public hearings pertaining to convenience and necessity. It's been a long day for everything.

And so we just wanted to say that for the record.

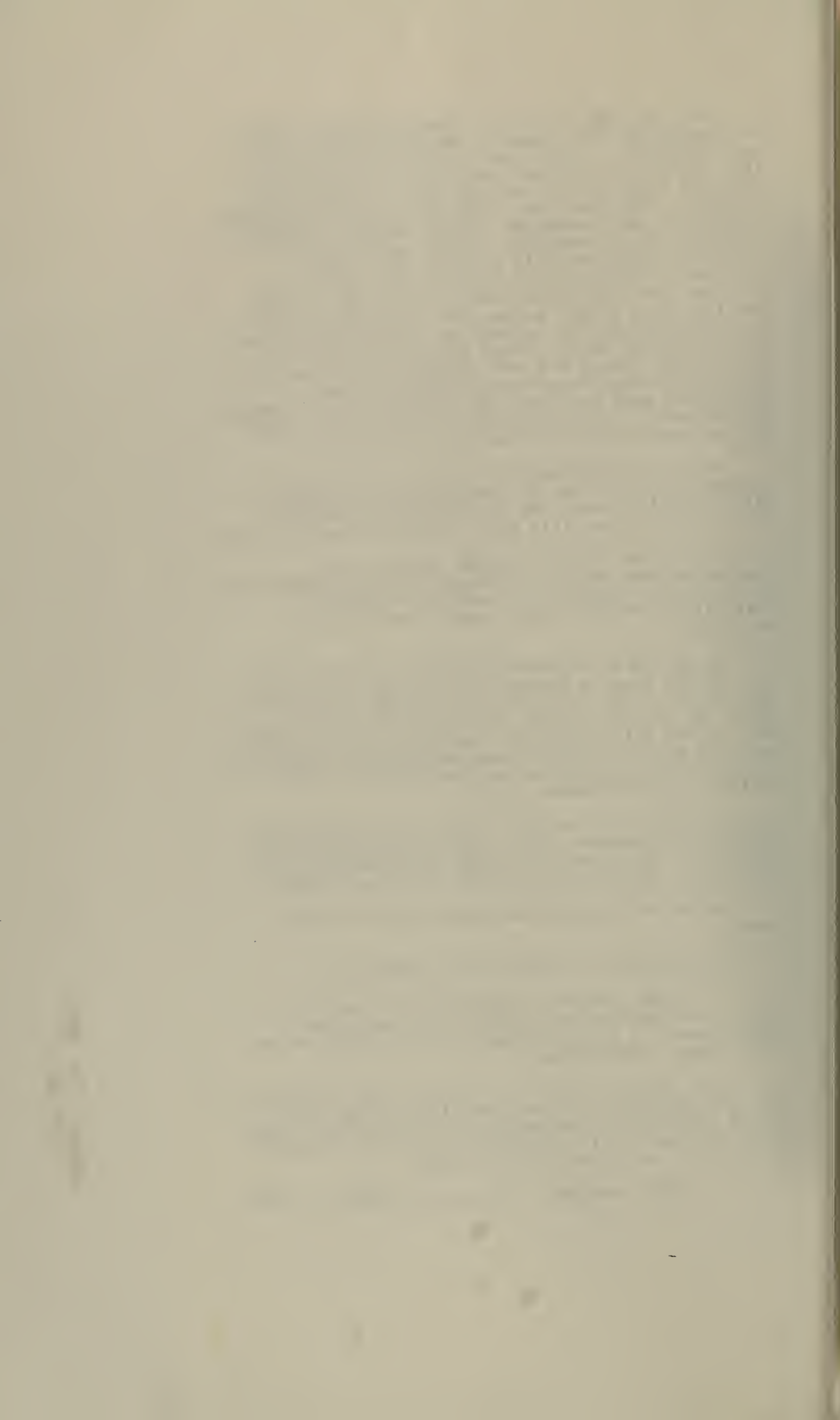
At this point if any of our Commission --

COMM. OWENS: I would like to say that I concur with Commissioner Sanchez and as a new Commissioner, I find this quite, as someone pointed out tonight, educational.

I did learn a lot. I'd like to also say that I felt the presentations were excellent, well done, a lot of information and information that we all take quite seriously, will consider and there's more I'm sure for us, but thank you very much.

PRES. SANCHEZ: Any other comments? Chief?





COMM. NELDER: I think it's all been said. I simply want to reassure you as I did at the outset, that the Commissioners and Chief has not made up his or her mind; so it's important what you tell us because ultimately it's what you tell us in its entirety that will, at that particular we'll time make a decision. I don't want you to figure you're wasting your time because we're sitting here like four or five political dopes and you can rest assured that we're on the square, you convince us one way or the other and that's the way we'll go.

PRES. SANCHEZ: Would you like to make a statement?

CHIEF JORDAN: Thank you, Commissioners. I would like to make a quick comment, too. I'm here tonight just like the other Commissioners, to be a good listener here. I didn't speak tonight because I wanted to hear from all of you giving your testimony. I really, this is a high level of stress and is very emotional and it's important. And I know you were speaking from the heart based on your own experience.

I can assure you, too whatever is going to be done from the Police Department's standpoint, from my position will be based on solid fact and documentation. So I want you to be very sure of that. We want to help you. No decision or recommendation will be made by me, by the Police Department to the Police Commission unless we have had solid substantial facts to deal with and that's what I pledge tonight and I will be listening to each of these issues. Whether it takes the next meeting or a second meeting after this, the study will be in place and I'll guarantee you whatever comes out of it. I looked -- part of the recommendation I have so far is a preliminary recommendation from my Permit Bureau based on some facts they have but I think there's a great deal more to be discussed. So nothing you heard tonight is in concrete. We're still very open ended and open minded. We want to hear from everyone that has something to say. Thank you.

PRES. SANCHEZ: If there is no further discussion, is there a motion to continue this on calendar for December 11th?

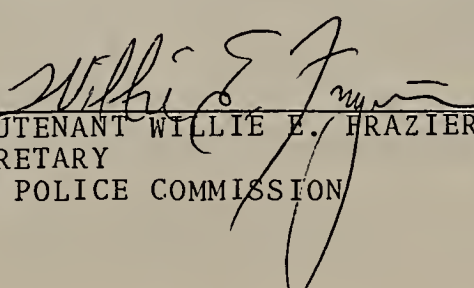
COMM. OWENS: So move.

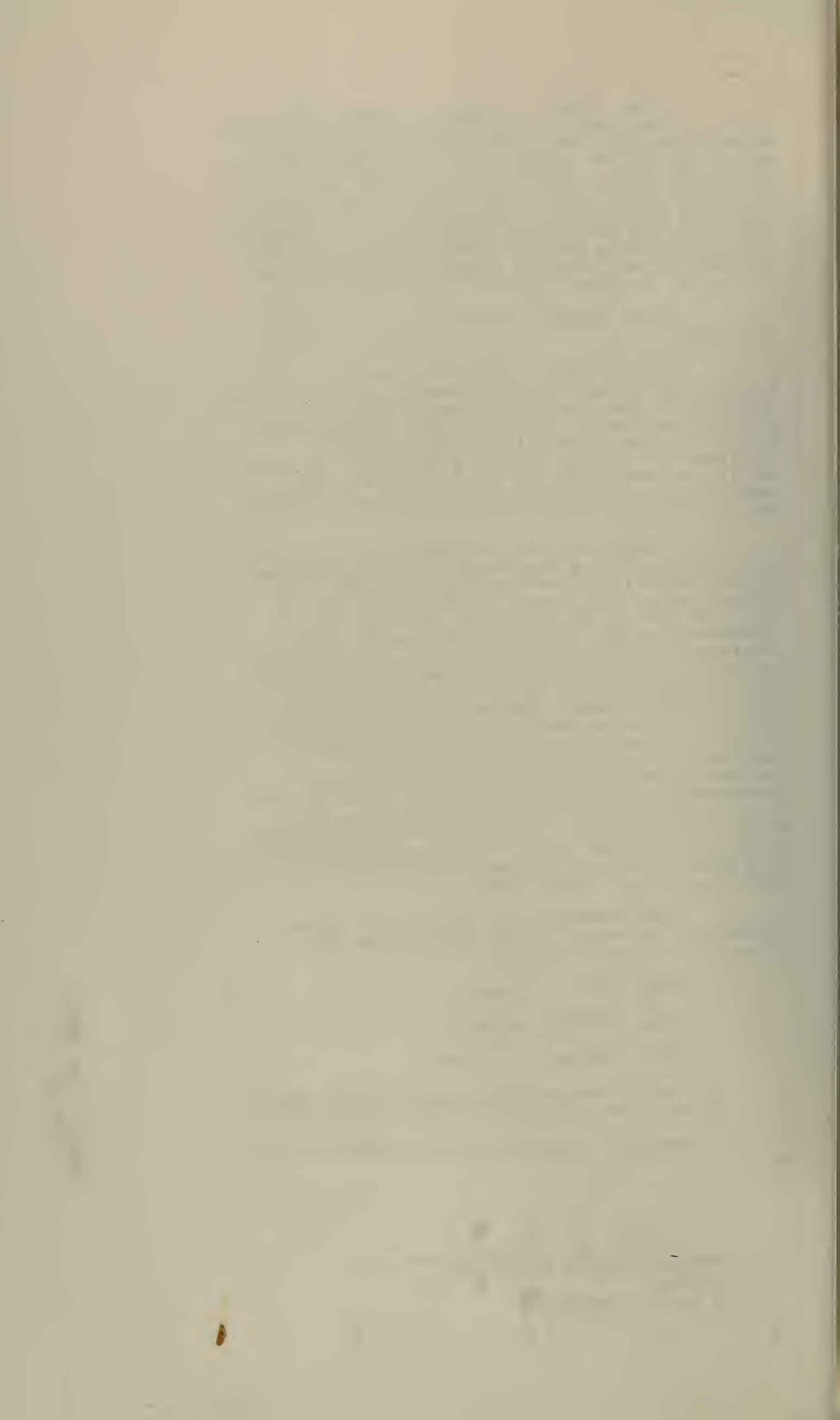
COMM. NELDER: Second.

PRES. SANCHEZ: So moved.

(The entire context of this hearing was taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 9:10 pm.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION



15 *Minutes*  
 NOVEMBER 7, 1985

EXECUTIVE SESSION

The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, November 7, 1985 at 1700 hours in a Closed Session.

PRESENT: Commissioners Davis, Giraudo, Owens, Sanchez  
 ABSENT: Commissioner Nelder

1. Attorney-Client Conference

DOCUMENTS DEPT.

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NOVEMBER 7, 1985

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Steeet, on Thursday, November 7, 1985 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Davis, Giraudo, Owens, Sanchez  
 ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 17, 1985

The minutes of the meeting of October 17, 1985 were approved, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1162-85

JUDITH E. SIMMONS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith E. Simmons in the sum of \$2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
 ABSENT: Commissioner Nelder

RESOLUTION NO. 1163-85

KRON-TV, CHRONICLE BROADCASTING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of KRON-TV, Chronicle Broadcasting in the sum of \$801.08 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 8, 1984

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
 ABSENT: Commissioner Nelder





RESOLUTION NO. 1164-85

NEIMAN-MARCUS SECURITY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Neiman-Marcus Security in the sum of \$240.00 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: March 26, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1165-85

AMERICAN INTERNATIONAL RENT-A-CAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of American International Rent-A-Car in the sum of \$3,075.76 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 10, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1166-85

NURETTIN BAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nurettin Bal in the sum of \$1,335.18 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 13, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

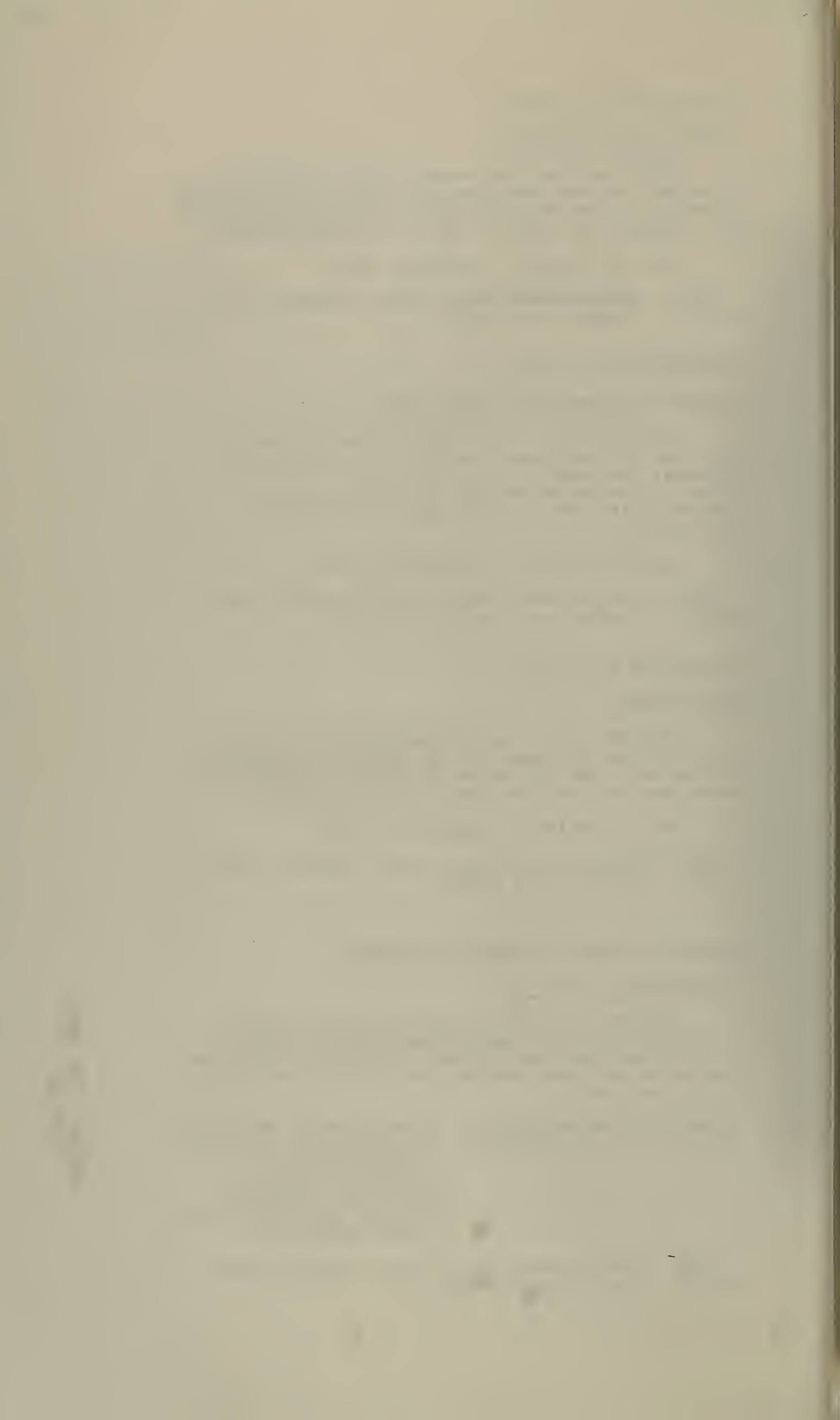
TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1189-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Alban Weatherman	(Western States Auto Theft
Inspector Edmond Paasache	Investigators' Annual
	Training Seminar
	(South Lake Tahoe, CA
	(09/19/85 - 09/20/85
	(\$190.47 each, \$85.53 each
	refund submitted

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder



RESOLUTION NO. 1190-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Lloyd W. Cunningham	(Examination of Altered Business Records (El Cajon, California (10/11/85 - 10/13/85 (\$436.00
----------------------------------	---

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1191-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Bruce Frediani	(Juvenile Investigators Course (Alameda, California (09/27/85, 09/30 - 10/04/85 (\$198.20
--------------------------	--

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1192-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Senior Criminalist Terry Coddington	(X-Ray Diffraction Course (Foster City, California (10/08/85 - 10/10/85 (\$475.00
--	--

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1193-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer Loyce Tucker	(Police Fleet Management Course (San Diego, California (08/26/85 - 08/28/85 (\$840.00
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AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder





RESOLUTION NO. 1176-85

AUTHORIZATION OF DEPUTY CHIEF RICHARD TRUEB, LT. EDMUND PECINOVSKY AND LT. JOHN NEWLIN TO ATTEND THE CALIFORNIA PEACE OFFICERS' ASSOC. ALL COMMITTEE CONFERENCE IN LAKE ARROWHEAD FROM NOV. 3 TO NOV. 7, 1985

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Richard Trueb and Lieutenant Edmund Pecinovsky, Administration Bureau, and Lieutenant John Newlin, Traffic Division, be authorized to attend the California Peace Officers' Association All Committee Conference, conducted by the California Peace Officers' Association in Lake Arrowhead, California from November 3 to November 7, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$628.00 each for tuition, subsistence and airfare will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1177-85

AUTHORIZATION OF INSPECTORS CARL PETERS, WALTER GARRY, DONALD FOUKE AND ROBERT FIFE TO ATTEND THE CHILD ABUSE INVESTIGATION COURSE IN GILROY, CA FROM NOVEMBER 12 TO NOVEMBER 14, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspectors Carl Peters, Walter Garry, Donald Fouke and Robert Fife, Juvenile Division, be authorized to attend the Child Abuse Investigation Course, conducted by Gavilan College in Gilroy, California from November 12 to November 14, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$195.00 each for subsistence and travel will be reimbursed by P.O.S.T. \$45.00 each for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1178-85

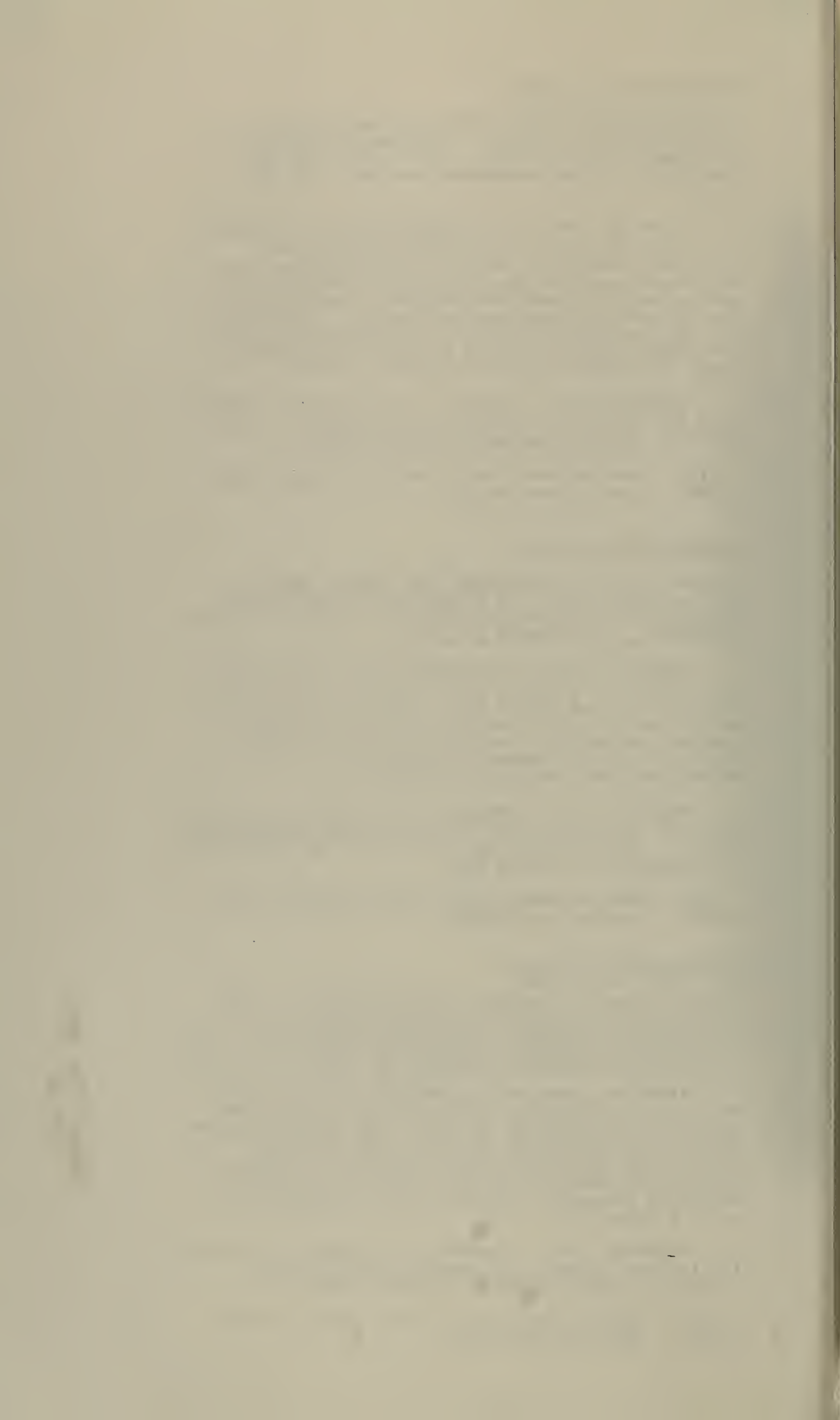
AUTHORIZATION OF INSPECTOR ROBERT HUEGLE TO ATTEND THE TRAINING SEMINAR IN THE PREPARATION AND INVESTIGATION OF SEXUAL ASSAULT AND CHILD ABUSE CASES IN STATELINE, NEVADA ON NOVEMBER 8, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspector Robert Huegle, Sex Crimes Section, be authorized to attend the Training Seminar in the Preparation and Investigation of Sexual Assault and Child Abuse Cases, conducted by Sheriff Jerry Maple, Douglas County, Nevada in Stateline, Nevada on November 8, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$107.25 for tuition, travel and commuter lunch will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder





RESOLUTION NO. 1179-85

AUTHORIZATION OF LT. THOMAS P. DONOHOE TO ATTEND THE SUPERVISING THE POLICE TRAFFIC CONTROL FUNCTION COURSE IN SANTA ROSA, CA FROM NOVEMBER 18 TO NOVEMBER 22, 1985

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Thomas P. Donohoe, Traffic Division, be authorized to attend the Supervising the Police Traffic Control Function Course, conducted by the Northern California Criminal Justice Training and Education System in Santa Rosa, California from November 18 to November 22, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$311.00 for subsistence and travel will be reimbursed by P.O.S.T. \$20.00 for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1180-85

AUTHORIZATION OF OFFICERS DANIEL MAY, JAMES GERVASI, EDGAR CALLEJAS AND EDGAR SPRINGER TO ATTEND THE FBI RIFLE MARKSMANSHIP AND ANTI-SNIPER COURSE IN FORT ORD, CA FROM NOVEMBER 4 TO NOVEMBER 8, 1985

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RESOLVED, that the recommendation of the Chief of Police that Officers Daniel May, James Gervasi and Edgar Callejas, Tactical Division, and Officer Edgar Springer, Training Section, be authorized to attend the FBI Rifle Marksmanship and Anti-Sniper Course, conducted by the Federal Bureau of Investigation in Fort Ord, California from November 5 to November 8, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$375.50 each for subsistence, tuition and travel will be reimbursed by P.O.S.T. 70% of these members salary will also be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1181-85

AUTHORIZATION OF OFFICER BRUCE CRAYTON TO ATTEND THE LATENT PRINT TECHNIQUES COURSE IN SACRAMENTO FROM NOVEMBER 18 TO NOVEMBER 22, 1985

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RESOLVED, that the recommendation of the Chief of Police that Officer Bruce Crayton, Crime Scene Investigation, be authorized to attend the Latent Print Techniques Course, conducted by the California Department of Justice in Sacramento, California from November 18 to November 22, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$349.00 for travel and subsistence will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder



RESOLUTION NO. 1182-85

AUTHORIZATION OF INSPECTOR JOHN McKENNA TO ATTEND THE EIGHTH ANNUAL INTERNATIONAL ASIAN ORGANIZED CRIME CONFERENCE IN HOUSTON, TEXAS FROM NOVEMBER 10 TO NOVEMBER 14, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspector John McKenna, Gang Task Force, be authorized to attend the Eighth Annual International Asian Organized Crime Conference, conducted by the International Asian Organized Crime Association in Houston, Texas from November 10 to November 14, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$787.00 for airfare, tuition and subsistence will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

RESOLUTION NO. 1183-85

AUTHORIZATION OF INVESTIGATORS DAN SILVA, MICHELE GILMER AND ALLEN HOUSTON, OCC, TO ATTEND THE HOMICIDE INVESTIGATION COURSE IN LOS GATOS FROM NOVEMBER 11 TO NOVEMBER 15, 1985

RESOLVED, that the request of Mr. Frank Schober, Jr., Director, Office of Citizen Complaints, that Investigators Dan Silva, Michele Gilmer and Allen Houston, Office of Citizen Complaints, be authorized to attend the Homicide Investigators Course, conducted by CSU/San Jose in Los Gatos, California from November 11 to November 15, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$500.00 each for tuition, subsistence and travel will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

Commissioner Daly said that she wanted to make one comment and that had to do with praising the Police Department for a job well done on Halloween Night throughout the City. She said there was an applause for all those officers who went down Castro Street to clear the street. She said she would like to thank all of those officers who were involved.

Commissioner Sanchez said he would like to make one brief comment, and that is over the years the Commission and Chief has had an opportunity to participate in Sister City activities. He said he had that option over the last few weeks to go to Caracas, Venezuela with the Mayor and other San Franciscans. He said it was a unique learning experience for all. He said there they were impressed by the Caracas Police who were outstanding and many of them had been trained at Universities here in the USA. He said their Police Academy





Training is two years and their Officer Training Program is equivalent to four years of training plus two years of Post Graduate Training. He said there will be some additional Sister City exchanges, probably next year, along with some of the other Sister Cities stressing how all may increase the accountability of police services in a Democratic Society.

He then said, on another subject, the Police Commission did meet in Closed Session this afternoon in an Attorney-Client Conference and no vote was taken.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report for the Commission at this time.

#### RE-HEARING ON THE POLICE COMMISSION REVOCATION OF MR. JOHN THOMAS' LIMOUSINE PERMIT #L-47 (CONTINUED FROM MEETING OF SEPTEMBER 26, 1985)

The Attorney for Mr. Thomas appeared on behalf of Mr. Thomas and said that what he and his client desired is to continue this matter once again. He said the difficulty, in order to be able to form a good and proper defense in this matter and proper re-hearing, is to have Mr. Thomas present. However, he said, Mr. Thomas is still in jail on the charges discussed before the Commission previously. He said he believed a 30-day continuance will give Mr. Thomas time to be released and give him (the attorney) time to study it and move ahead with the Hearing on the subject. After that period of time has passed, Commissioner Hsieh said he would make the motion to continue this matter for 30 days. It was seconded by Commissioner Daly and unanimously approved.

#### NOTIFICATION AND FILING OF CHARGES AGAINST POLICE RECRUIT OFFICER JULIAN A. HILL, POLICE ACADEMY

#### RESOLUTION NO. 1167-85

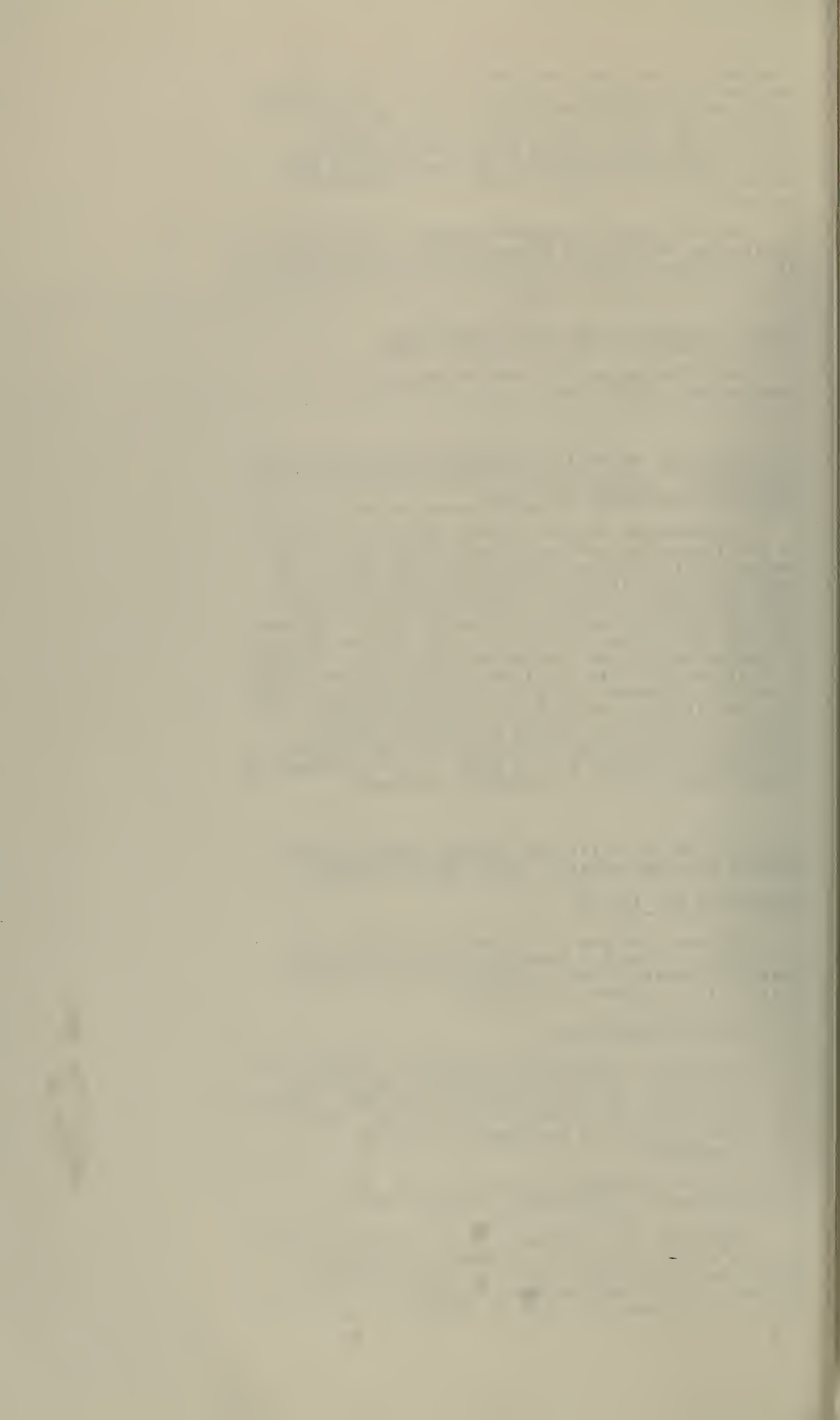
Whereas, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Recruit Officer Julian A. Hill, Police Academy, as follows:

#### SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Recruit Officer Julian A. Hill, Police Academy, is set for Thursday, November 14, 1985, at 5:30 p.m. in Room 551, Hall of Justice.



AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

SETTING OF DATE FOR HEARING ON THE CHARGES FILED  
AGAINST POLICE OFFICER GEORGE A. LOZANO, NORTHERN  
STATION

RESOLUTION NO. 1169-85

WHEREAS, the date for the setting of the hearing on disciplinary charges filed against Police Officer George A. Lozano, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for December 12, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Officer George A. Lozano, Northern Station, is set for Thursday, December 12, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE  
OFFICER NATHAN JOHNSON, RICHMOND STATION

RESOLUTION NO. 1168-85

Whereas, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Nathan Johnson, Richmond Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Failure to be equipped with a police star while carrying a firearm off-duty (violation of Section VI-B of General Order B-3 of the San Francisco Police Department);

SPECIFICATION NO. 3

Discharging a firearm without justification (violation of Section C of General Order F-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Nathan Johnson, Richmond Station, is set for Thursday, November 14, 1985, at 5:30 p.m. in Room 551, Hall of Justice.





AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
 ABSENT: Commissioner Nelder

# STATUS REPORT ON THE OFFICE OF CITIZEN COMPLAINTS

Mr. Frank Schober, Director of the Office of Citizen Complaints, said that the OCC has had in the past week the fourth major downturn in Complaints. He said the sharp decline of unnecessary force complaints experienced in September, he feels, will continue. He said this in itself shows that the Police Department, in cooperation with the OCC and its morning report and the Personnel Improvement Program, will continue to drive complaints downward. He said they have received a lot of good comments on their efforts and he said he feels that the OCC can make its greatest contribution in prevention of complaints. He said at the Police Commission's next meeting he will be submitting, as required by the Charter, policy recommendations concerning complaints.

## HEARING OF SERGEANT STEVEN T. SMITH, RICHMOND STATION

### RESOLUTION NO. 1175-85

WHEREAS, on May 15, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Sergeant Steven T. Smith, Richmond Station, as follows:

#### SPECIFICATION NO. 1

Failure to devote entire time while on duty to the achievement of the Department's basic mission (a violation of Rule A-1 of General Order D-1 of the San Francisco Police Department);

#### SPECIFICATION NO. 2

Engaging in personal business while on duty (violation of Rule B-2 of General Order D-1 of the San Francisco Police Department);

#### SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, on July 24, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Sergeant Steven Smith as follows:

#### SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).





and

WHEREAS, the Police Commission set Thursday, November 7, 1985, as the date for the hearing on charges filed against Sergeant Steven Smith; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that the Police Department was in receipt of the resignation of Sergeant Steven T. Smith from the San Francisco Police Department, said resignation effective October 28, 1985 at 1700 hours, which resignation was accepted with the condition that the services of Sergeant Steven T. Smith have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Sergeant Steven T. Smith, be, and the same are hereby continued off calendar.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

HEARING OF POLICE OFFICER DENNIS M. COSTANZO,  
INGLESIDE STATION (CONTINUED FROM MEETING OF  
SEPTEMBER 26, 1985)

RESOLUTION NO. 1172-85

WHEREAS, the decision in the hearing of disciplinary charges filed against Police Officer Dennis M. Costanzo, Ingleside Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, who was appearing on behalf of Mr. Casimir Wilson, Attorney for the Defense, that the date for the decision in the hearing before the Police Commission be set for Thursday, December 5, 1985; therefore be it

RESOLVED, that the decision in the hearing of the disciplinary charges filed against Police Officer Dennis M. Costanzo, Ingleside Station, is set for Thursday, December 5, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

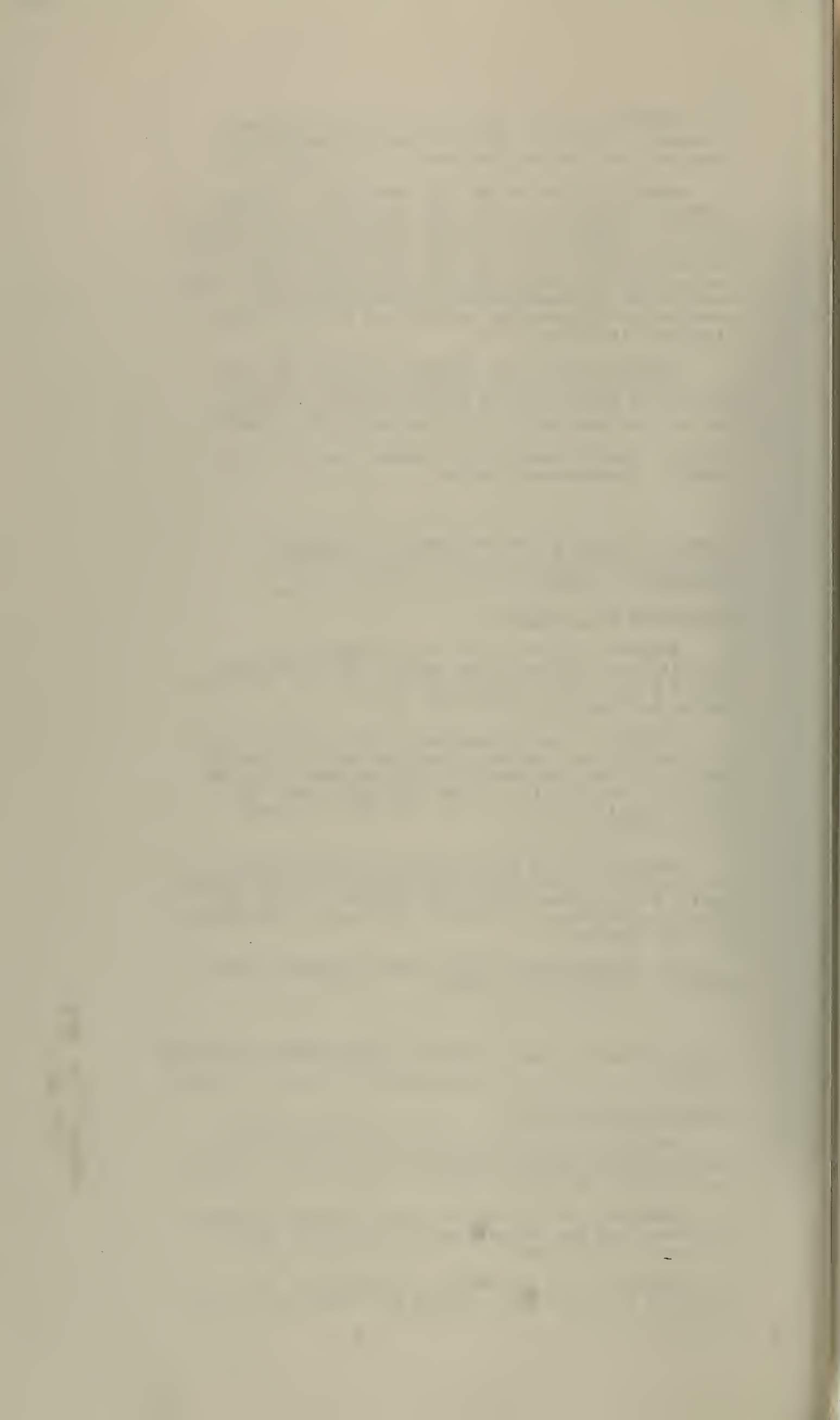
STATUS REPORT ON POLICE OFFICER LARRY MURDOCK, MISSION  
STATION

RESOLUTION NO. 1170-85

WHEREAS, the status report of Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, Police Officer Larry Murdock appeared in person and was represented by Mr. Lance Russell, Attorney at Law; and

WHEREAS, Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department; and



WHEREAS, on Thursday, October 17, 1985, a Status Report Hearing on Officer Murdock's failure to comply with General Order B-1 was held and the matter was continued for two weeks to allow Officer Murdock to obtain and present to Dr. Norman Steiner, the Police Physician, his complete historical medical file for the doctor's perusal and recommendation; and

WHEREAS, it was the recommendation of Dr. Norman Steiner, Police Physician, after perusing Officer Murdock's medical records, that Officer Murdock lose two pounds per month; therefore be it

RESOLVED, that the Commission accepts the recommendation of Dr. Steiner and orders it upon Officer Murdock with the provision that a weight check be made at three month intervals to see that Officer Murdock is in compliance.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

STATUS REPORT ON POLICE OFFICER GLENN SYLVESTER,  
MISSION STATION

RESOLUTION NO. 1171-85

WHEREAS, the status report of Police Officer Glenn Sylvester, Mission Station, was called it having been set for this date, and

WHEREAS, Police Officer Glenn Sylvester appeared in person and was represented by Mr. John Prentice, Attorney at Law; and

WHEREAS, Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department; and

WHEREAS, it is the order of the Police Commission that the matter be continued for 49 days, at which time Dr. Norman Steiner, Police Physician, shall be present to submit his recommendation regarding Officer Sylvester's weight problem; therefore be it

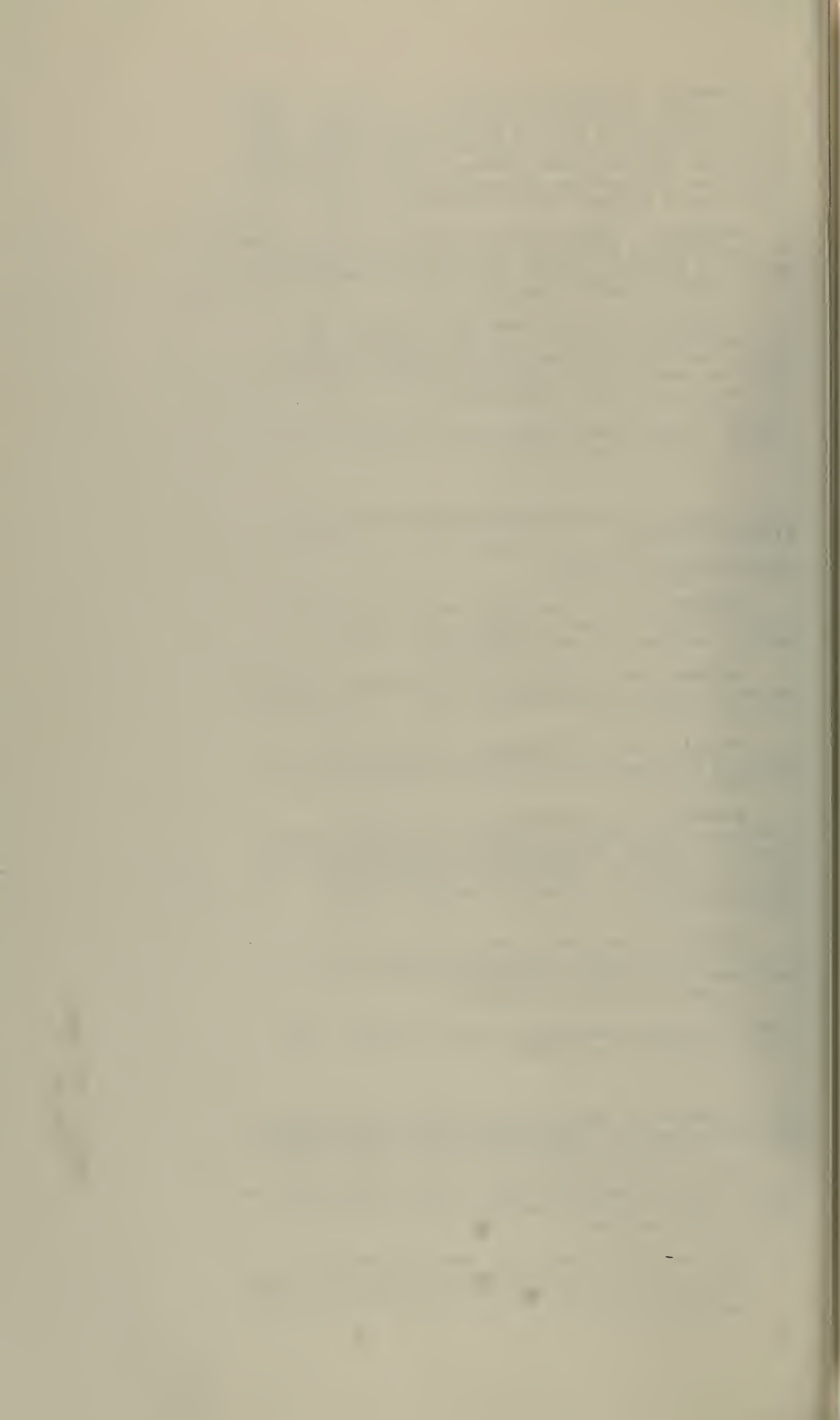
RESOLVED, that the status report on Police Officer Glenn Sylvester, Mission Station, is continued to Thursday, December 26, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

PUBLIC HEARING ON PUBLIC CONVENIENCE AND NECESSITY  
FOR THE ISSUANCE OF ADDITIONAL TAXICAB OWNER PERMITS

The following named persons were given three minutes each to speak in favor of the issuance of new Public Convenience and Necessity Permits for the operation of taxicabs.

Mr. Edward J. Scoble, Mr. Moon You Hom, Mr. Siflai Yosief, Mr. Yossedek M. Desta, Mr. Carlow Arroyo, Mr. Markos Talesse, Mr. Jobe Kejele, Mr. Joe Barsse





The following named persons were given three minutes each to speak against the issuance of new Public Convenience and Necessity Permits for the operation of taxicabs.

Mr. Richard Wiener and Mr. Richmond Loewinsohn

After listening to the above speakers, Commissioner Sanchez said that rather than act on it now, the Commission will continue it to next week for other people who wish to speak on the subject.

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST  
POLICE OFFICER EARL E. WISMER, NORTHERN STATION

RESOLUTION NO. 1174-85

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Earl E. Wismer, that the date for the hearing before the Police Commission be set for December 5, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, is set for Thursday, December, 5, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

HEARING OF POLICE OFFICER MICHAEL E. EVANSON,  
NORTHERN STATION (CONTINUED FROM OCTOBER 10, 1985)

The hearing of Police Officer Michael E. Evanson, Northern Station, was called it having been set for this date. Police Officer Michael E. Evanson was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

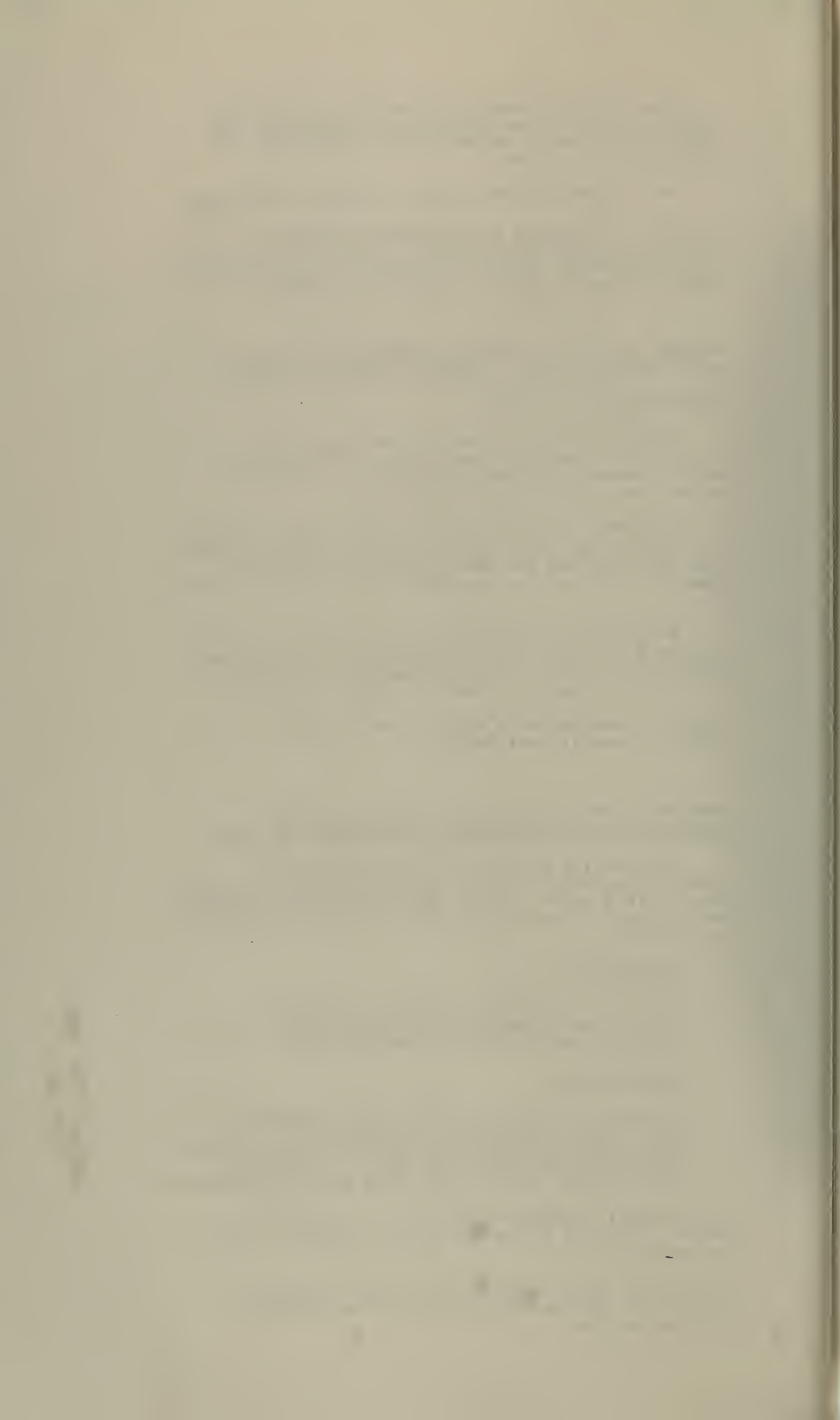
Failure to prevent crime while off duty  
(violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Michael E. Evanson appeared in person and was represented by Mr. John Prentice, Attorney at Law.



Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witnesses appeared for the Defense, were sworn and testified:

Andre L. Andrich, 1800 Jerrold Ave., San Francisco, CA  
Officer Michael E. Evanson, Company E

Closing statements were made by both Prosecuting and Defense attorneys.

The Commission took the matter under submission, recessed and returned, finding that Charge No. 1 and Charge No. 2 are sustained.

Based on those findings, the Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief that Officer Michael E. Evanson be suspended for 45 days, 15 days to be held in abeyance, provided he join the San Francisco Police Department General Order D-4 Program.

The Commission again took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 1173-85

DECISION - HEARING OF OFFICER MICHAEL E. EVANSON,  
NORTHERN STATION

WHEREAS, on August 8, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Michael E. Evanson as follows:

CHARGE NO. 1

Failure to prevent crime while off duty  
(violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

- (1) At all times herein mentioned, Michael E. Evanson, Star No. 2132 (hereinafter referred to as "the accused"), was a police officer employed by the San Francisco Police Department and assigned to Northern Police Station and off on disability leave;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On July 4, 1985 at or about 0130 hours, the accused while off-duty and on disability leave, was observed by a Twin Cities police officer to be holding a bottle of beer while standing near a vehicle parked on Magnolia Road in Larkspur, California;
- (4) The Twin Cities police officer approached the accused and observed that the accused appeared to be intoxicated and unable to drive a vehicle;

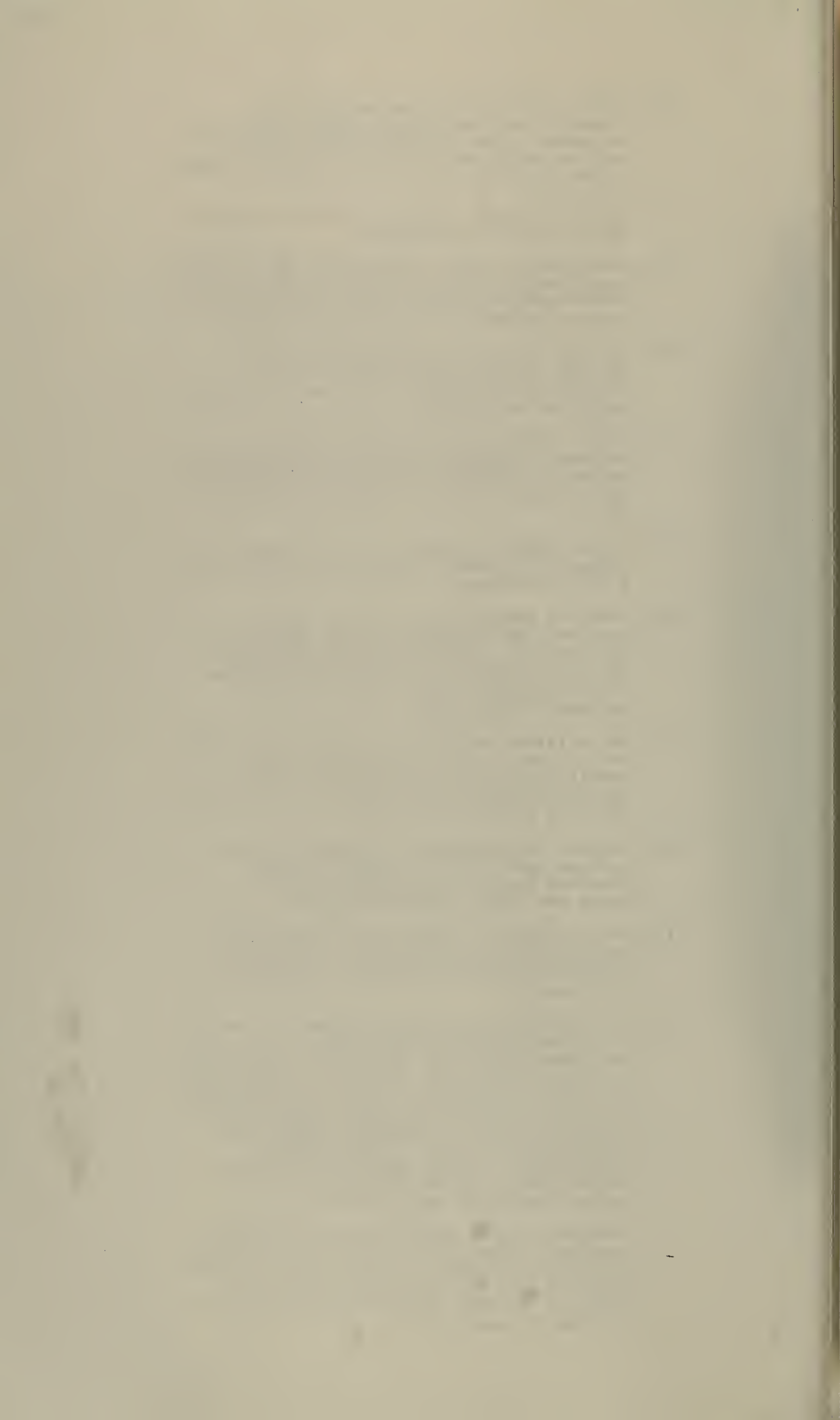




- (5) After a brief conversation with the accused, the Twin Cities officer performed an alcohol gaze nystigmus test on the accused which estimated the accused's blood alcohol at .20;
- (6) The Twin Cities officer told the accused not to drive the vehicle;
- (7) The accused, after identifying himself as a San Francisco police officer, told the Twin Cities officer that he would not drive because he knew he was too intoxicated;
- (8) The Twin Cities officer permitted the accused to enter and remain in the accused's vehicle but told the accused not to drive the vehicle;
- (9) After walking about 100 feet from the accused's vehicle to confer with his Patrol Sergeant, the Twin Cities officer observed the accused start his vehicle and drive away;
- (10) The accused's vehicle was subsequently stopped by another Twin Cities officer and a Patrol Sergeant;
- (11) When the original Twin Cities officer arrived, the accused told the officer he, the accused, probably misunderstood the officer's direction not to drive because he, the accused, was intoxicated and couldn't think right;
- (12) The original Twin Cities officer then drove the accused to the Corte Madera Inn to permit the accused to check in after informing the accused that if he drove off again he would be arrested;
- (13) Instead of checking in at the motel, the accused took a taxi to where he was observed by the Twin Cities officer to enter his vehicle and drive off;
- (14) The accused was stopped and arrested for driving while intoxicated; a violation of California Vehicle Code Sec. 23152(a), a misdemeanor;
- (15) As a police officer, the accused has a duty to prevent crime at all times. Notwithstanding this duty, the accused, by driving a vehicle on a public street of the State of California in violation of Vehicle Code Sec. 23152(a), not only failed to prevent crime, but actually engaged in conduct of a criminal nature which constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."





32-  
CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(16) Each and every allegation contained in paragraphs (1) through (14), inclusive, is incorporated herein by reference as though set forth in full;

(17) The accused acknowledged that he was too intoxicated to drive, and then drove his automobile on two occasions while on disability leave, which violates Rule XII, G of General Order D-8, which states in pertinent part:

"G. A member off duty on . . . disability leave shall not knowingly engage in any activity which could aggravate his injury or illness or which could retard the members convalescence."

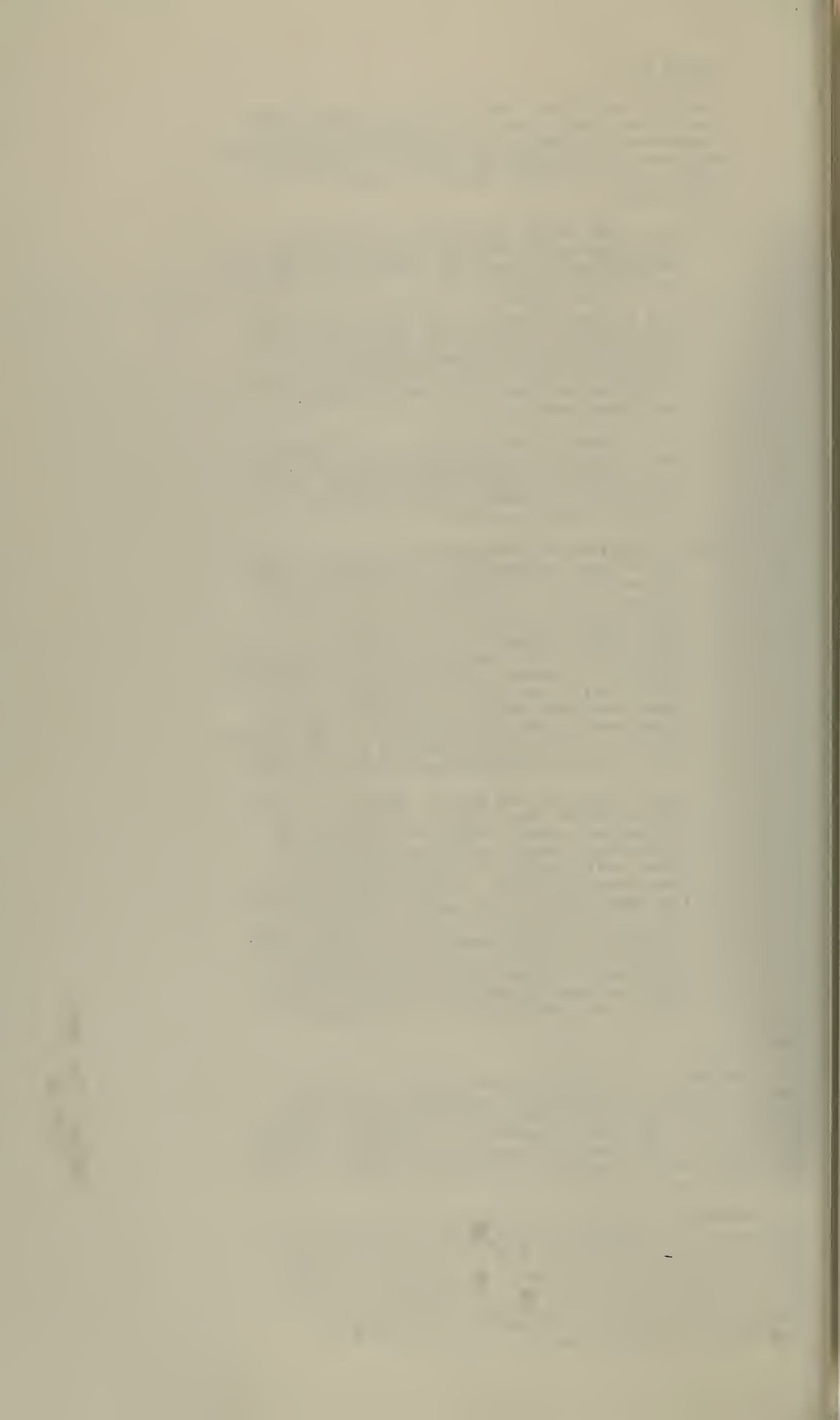
(18) By driving an automobile in a manner which the accused acknowledged violated the laws of the State of California, he has taken actions while on disability leave which could aggravate his injury, and by identifying himself as a police officer to obtain favorable treatment, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, October 10, 1985 and Thursday, November 7, 1985, and on Thursday, November 7, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-2 of General Order D-1 of the San Francisco Police Department, and Charge No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Officer Michael E. Evanson, are sustained, therefore be it



RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

Charge No. 1	[penalty]	45 days suspension,
Charge No. 2	[penalty]	15 days to be held in abeyance for two years, provided he join the San Francisco Police Dept. General Order D-4 Program

and be it further

RESOLVED, that said suspension for 30 calendar days is to be imposed on his return from disability status, projected to commence Friday, December 6, 1985 at 0001 hours and ending on Saturday, January 4, 1986 at 2400 hours. The remaining 15 calendar days is to be held in abeyance for two years, on the condition that he join the San Francisco Police Department General Order D-4 Program.

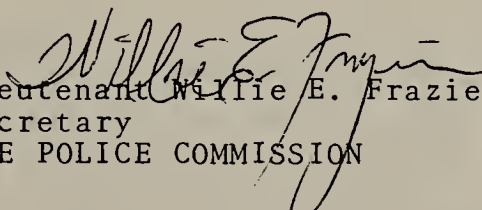
AYES: Commissioner Daly, Hsieh, Sanchez, Toler  
ABSENT: Commissioner Nelder

Recesses taken during the hearing of Officer  
Evanson:

8:25 p.m. to 8:30 p.m.  
8:35 p.m. to 8:40 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

The meeting was thereafter adjourned at 8:45 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





045  
2  
86  
Minutes  
NOVEMBER 13, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 13, 1986 at 1700 hours in a Special Meeting.

1. Attorney-Client Conference.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

Commissioner Nelder presiding.

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NOVEMBER 13, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 13, 1986 at 1730 hours in a Regular Meeting.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

Commissioner Nelder presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 25, 1986

Approval of Minutes of Meeting of September 25, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City & County of San Francisco:

RESOLUTION NO. 1182-86

JAMES SUNG vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of James Sung in Superior Court No. 811-848 in the sum of \$45,000.00 entitled "James Sung vs. City and County of San Francisco, Gregory Corrales" for damages sustained, be, and the same is hereby approved.

Date of Incident: December 29, 1982

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1188-86

JANET ANNE OLIVIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janet Anne Olivier in the sum of \$167.00 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: August 11, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez



RESOLUTION NO. 1189-86

JOHN H. GUNST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John H. Gunst in the sum of \$106.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1190-86

ABC TOWING (ROBERT STREICH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Robert Streich) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 5, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1191-86

ABC TOWING (ROBIN HURT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Robin Hurt) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1986

AYES: Commissioners Davis, Nelder, Owens,  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1192-86

ABC TOWING (LESTER HARVEY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Lester Harvey) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1193-96

ABC TOWING (JOHN G. KNIGHT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (John G. Knight) in the sum of \$76.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 24, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez



RESOLUTION NO. 1194-86

ABC TOWING (WILLIAM O'NEILL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (William O'Neill) in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1986

AYES: Commissioners Davis, Nelder, Owens,  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1195-86

NANCY EVANS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Evans in the sum of \$76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1196-86

HAROLD HANKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harold Hankins in the sum of \$69.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1197-86

ABC TOWING (GARY L. TURNER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Gary L. Turner) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1198-86

ABC TOWING (EDUARDO C. HARO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Eduardo C. Haro) in the sum of \$64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez





RESOLUTION NO. 1199-86

JOSEPH SWEENEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Sweeney in the sum of \$53.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1200-86

JOSEPH W. CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph W. Chan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 10, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1201-86

GERALD CHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald Chin in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1202-86

JILL MANTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jill Manton in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1203-86

JOHN R. BRADFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John R. Bradford in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez



RESOLUTION NO. 1204-86

KUEN LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kuen Lee in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1205-86

FRINE CARBONELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frine Carbonell in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1206-86

ABC TOWING (WILLIE B. KENNEDY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Willie B. Kennedy) in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1207-86

GINNY PRIOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ginny Prior in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1208-86

TENAGNE FIKRU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tenagne Fikru in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez





RESOLUTION NO. 1209-86

EUGENIO R. CHAVEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eugenio R. Chavez in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1210-86

CHARLES BURWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Burwell in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 6, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1211-86

JOSEPH SPAIR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Spair in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1212-86

JOE BERNAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Bernal in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

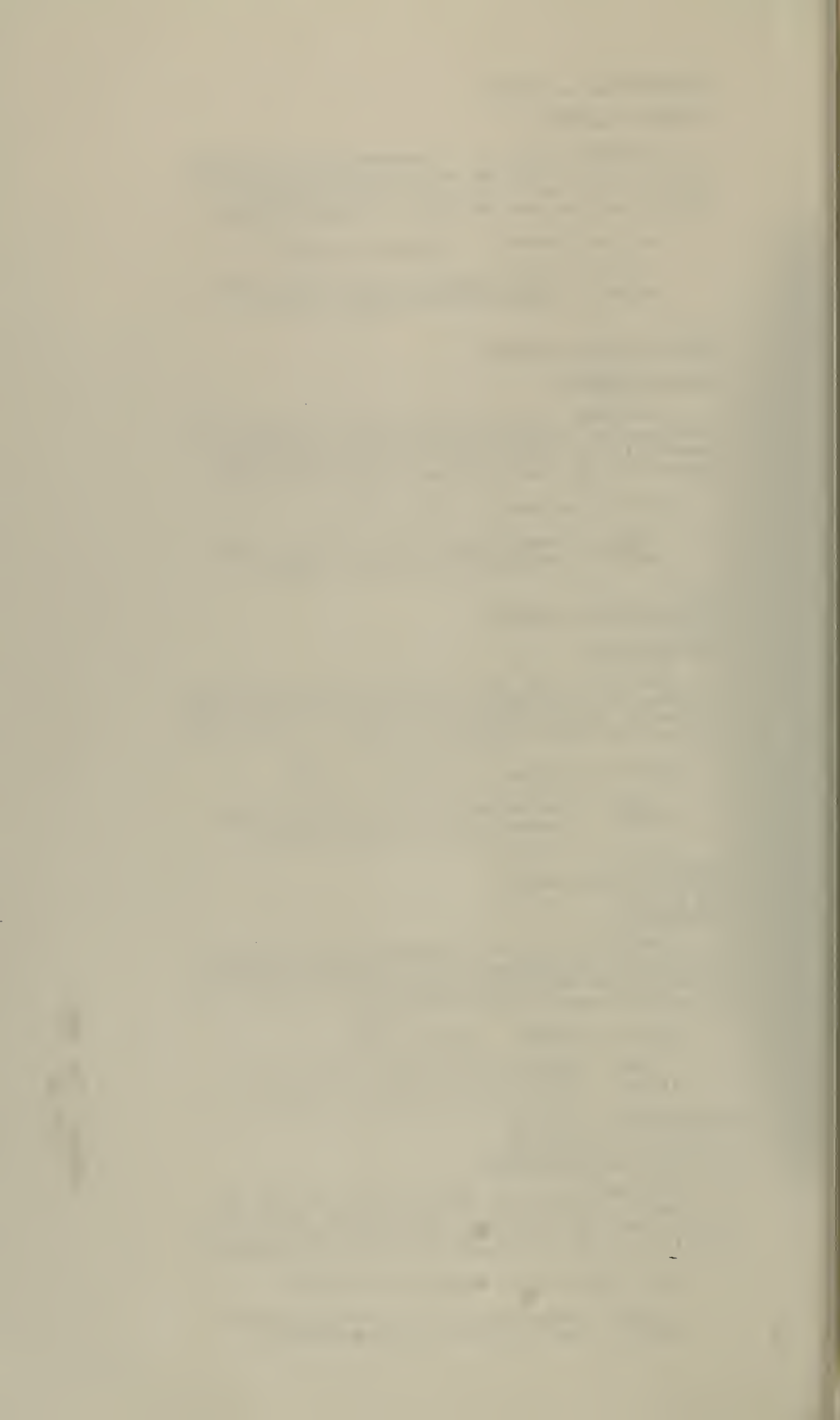
RESOLUTION NO. 1213-86

ABC TOWING (GARY TURNER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Gary Turner) in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1986

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez



## CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had no other report other than what he had just given.

## POLICE COMMISSION DISCUSSION AND POSSIBLE DECISION ON THE PROPOSED AMENDMENTS TO THE OFFICE OF CITIZEN COMPLAINTS INVESTIGATIVE HEARING RULES

Mr. Frank Schober, Director of the OCC, made some on the spot corrections to the proposed amendment and said the change proposed today is on the advice of the City Attorney. Thereafter, Mr. Tom Owens of the City Attorney's Office addressed the issue of the confidentiality clause. Mr. David Clisham representing the San Francisco Police Officers Association (SFPOA) took issue with the proposal he said their objections are not new to the City Attorney's Officer or to the OCC in that the confidentiality rights apply to the Officer only and not to the complainant. Mr. John Crew of the ACLU addressed the matter and submitted written material stating the ACLU's position on the issue. Mr. Crew said this confidentiality Oath as it is worded now has very little to do with where the parties started on this issue six months ago. He said they started on this issue because the POA has taken the position that representatives should be banned that complainants cannot have attorneys. He said after the Board of Supervisors and Community groups got involved it was left to the Police Commission to decide. He said the ACLU does not think a Confidentiality Clause is not necessary and they would not oppose it assuming it applied to both sides. He said however the Confidentiality Clause that is proposed here does not mention personnel records and it prevents the mentioning of results of the Hearing or the Hearing Officers decision. He said this, they believe, is contrary to State law. He said for those and other reasons they would strongly object to this clause.

After listening to City Attorney Owens rebut Mr. Crew, the Commission said that it would wait for the other two Commissioners to be present before rendering a decision in this matter.

It was then continued for one week.

## RESOLUTION NO. 1183-86

### REVISED GENERAL ORDER L-1, "CITIZEN COMPLAINTS AGAINST SWORN MEMBERS"

RESOLVED, that the Police Commission hereby approves the revision of Department General Order L-1, "Citizen Complaints Against Sworn Members".

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez





RESOLUTION NO. 1184-86

DEPARTMENT GENERAL ORDER L-2, "CITIZEN COMPLAINTS  
AGAINST NON-SWORN MEMBERS"

RESOLVED, that the Police Commission hereby approves new Department General Order L-2, "Citizen Complaints Against Non-Sworn Members".

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

REQUEST OF YELLOW CAB COOPERATIVE, INC., SAN  
FRANCISCO, FOR PERMISSION TO BECOME SELF-INSURED

Officer Ken Espostos of the Permit Section, addressed the Commission on this subject and said that the Department at this time had no report or recommendation to submit. He said this is because the City's Risk Manager, Mr. Keith Grand has not finished reviewing and digesting the material submitted by Yellow Cab Co-op, Inc. He said the Department feels that his input would be very vital and have great weight into any report the Department may prepare for the Commission at a later date. He said the Department is requesting, and from conferring with the City Risk Manager, that this be put over for three weeks. Commissioner Owens moved for a continuance of three weeks, it was seconded by Commissioner Davis and unanimously approved.

POLICE COMMISSION DISCUSSION REGARDING PETITION OF  
RESIDENTS, BUSINESS OWNERS, EMPLOYEES, SHOPPERS AND  
VISITORS REQUESTING REPLACEMENT OF FOOT-BEAT  
OFFICER IN THE POLK-GEARY AREA

Commissioner Nelder said that this is a matter the Commission heard about a month ago and due to the problems in that area and after that hearing the Commission prepared a resolution stating that it would hear it periodically until the problems there are cleared. The first speaker was Ms. Mary Ellen Smith who was first instrumental in bringing the subject before the Police Commission. She said there has been an improvement in the area, specifically an improvement in the people who inhabit McCauley Park. She said even with the improvements that is not what they wanted. She said what they want is ONE BEAT COP! She said they do not have one beat cop and in view of Sheriff Mike Hennessy's announcement that he is not going to hold direct and inebriates the area is going to get them back and they still will not have a beat cop to cope with it. Other speakers were Mr. Nate Ratner who echoed the same sentiments and request as Ms. Smith. Ms. Pat Darden, President of the Polk Street Merchants Association, said she would disagree in that there are still problems on the street during the day but not as many drunks and Panhandlers but there are still many present. She said a beat cop is sorely needed.



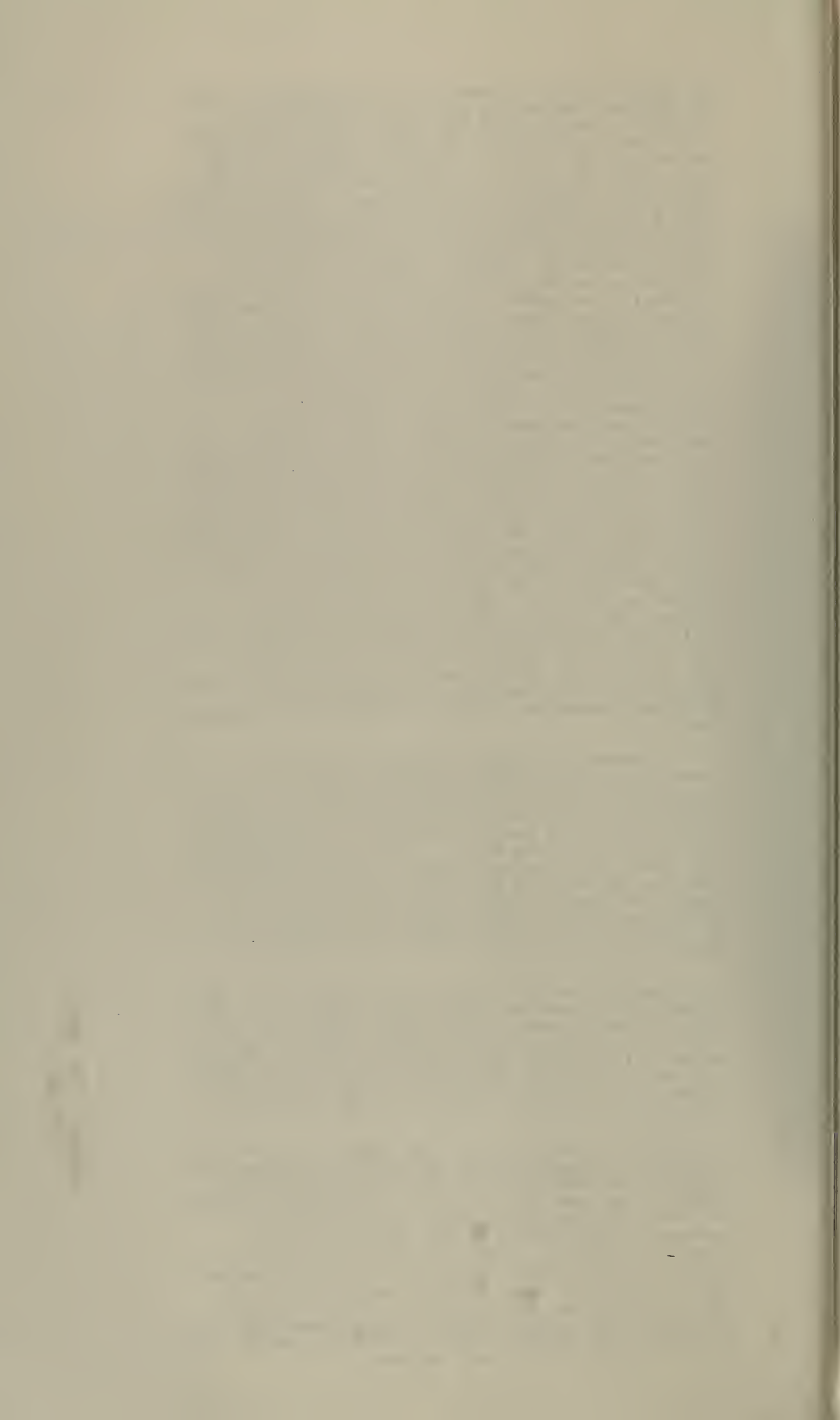


Mr. Robert Cobb, on behalf of the residents of the Dorothy Day Apartments a senior resident at 54 McAllister, appreciate the Commission's support by providing Beat Officers during the daylight hours and would also like to show their support for Ms. Mary Ellen Smith for her representing some of the Polk Street Merchants this evening. He continued by saying they would also like to recognize Officer Tennebaum #916, and Officer Frevera #931 for the good work they have been doing in the area. However, he said, problems remain in the area as outlined above by the above speakers. Captain Tom O'Donnell, responded and spoke of the problems with drunks, beggars and other violators. He said the Chief ordered that a Task Force approach be used to alleviate the problem and it involved people from the Community Relations as well as people from the Narcotics detail. He said all assisted in development of the plan. He said from October 17, 1986 through November 8, 1986, officers were assigned to the Beat in question every day and every night and now continue that assignment everyday and every evening. He said there were approximately 44 people arrested during the above stated period for drunk, 42 for other than being drunk, 46 misdemeanor citations issued, 28 moving violations issued, over 700 parking citations and a large number of citizens contacted and confiscation of 3 knives, one tire iron, one billy club and one pellet gun from the people in the area. He said in his opinion, Northern Station has made significant progress. Ms. Smith then returned and said admittedly there has been improvement but the Task force involves reporting to the Police and to the Police Commission and there is absolutely no citizen input or knowledge whatsoever. She said they still wanted a Beat Cop.

Sergeant Art Tappia, Community Services Division, said they have Officer Will Battle who is permanently assigned to Northern Station to be a liaison with the Community Groups in that area and Officer Terry Ivy who is President of the Board of the Polk Street Town Hall. He said their reports have been that everyone seems to be satisfied with what has happened in the area. He said he would suggest to Captain Hebel to have the Crime Prevention Education Unit meet with Ms. Smith and her group to discuss the SAFE Projects and the Projects under that unit.

Commissioner Davis said there seems to be some Communication problem that has not been made. He said Ms. Smith seems to be saying "A Beat Cop will solve the problem", the Department seems to say, "If we put a Task Force out there we can solve a bigger problem", and maybe that has not been explained as to why the task force seems to be the preferred method.

Chief Jordan said the Task Force has done an excellent job based on all the statistics heard here tonight. He said he felt it is an approach that needed to be done but it is not a long term solution in terms of staying out there in the District because of other needs in the Northern District also, but, he said, a Beat Officer is an item of priority to the people there. He said they had one before, there has been another one placed on line and apparently he went off sick. He said to Ms. Smith that her groups' point is well taken that they do need a Beat Officer there and the Department will supply them with that Beat Officer.



Commissioner Nelder then said he just wanted to congratulate everyone from the Polk Street area and their efforts and the Commission will continue to see that the best services the Department can muster up will be provided there and if the group wants to return before the Commission the latter part of December they are welcomed.

Ms. Smith said that she and her group would like to return to the Commission at that time.

The Commission then continued the matter to December 18, 1986, for a Status Report.

RESOLUTION NO. 1185-86

SETTING OF DATE FOR HEARING OF POLICE OFFICER DONNIE CARTWRIGHT, MISSION STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Donnie Cartwright, Mission Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Officer Donnie Cartwright be set for December 4, 1986; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Donnie Cartwright, Mission Station, is set for Thursday, December 4, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

RESOLUTION NO. 1187-86

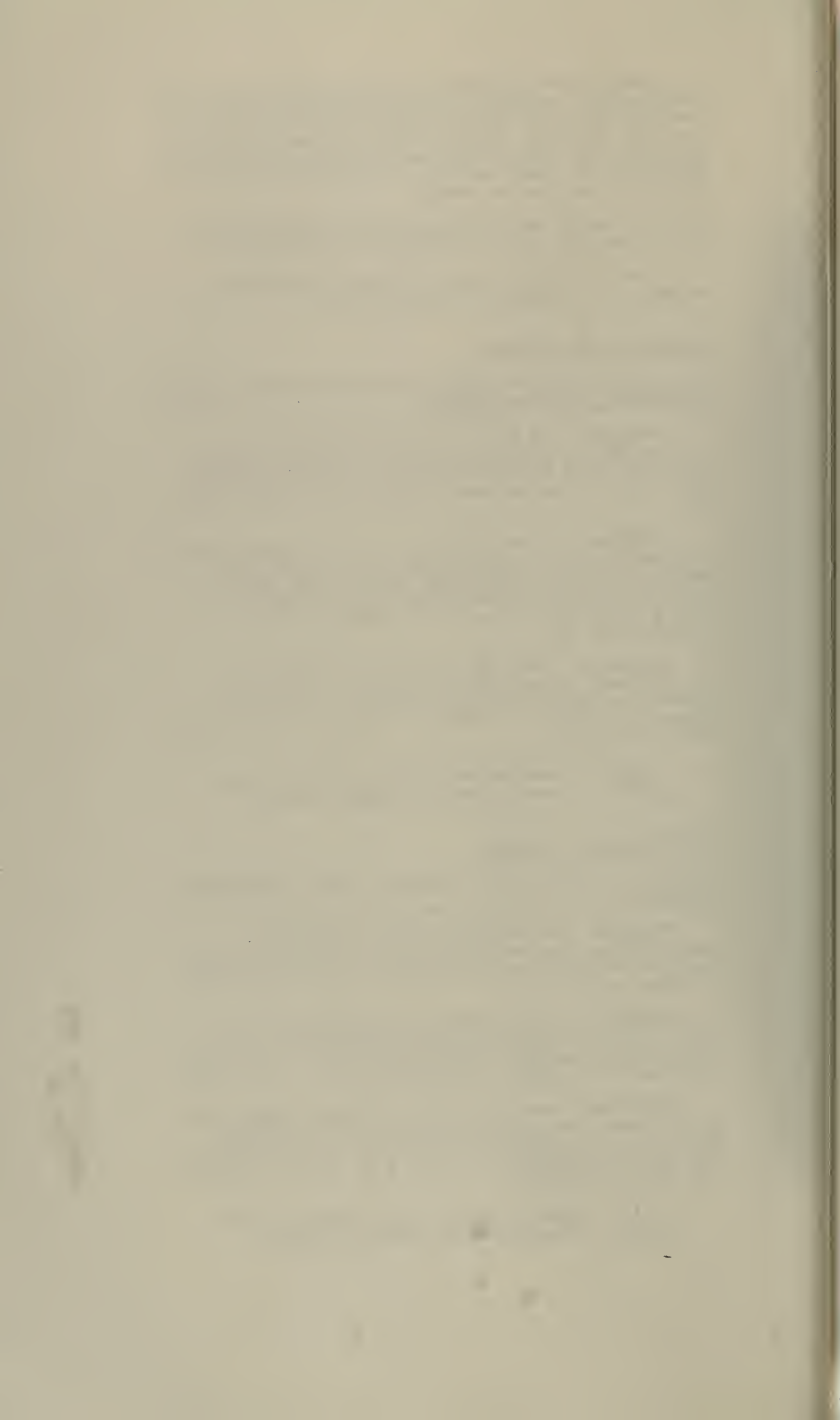
HEARING OF POLICE OFFICER EDDIE L. COLEY, INGLESIDE STATION

WHEREAS, the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Ingleside Station, was previously set for December 4, 1986; and

WHEREAS, it was requested by Officer Eddie L. Coley that the date for the hearing of the disciplinary charges filed against him be scheduled for January 22, 1987; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Ingleside Station, is rescheduled for Thursday, January 22, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez





REQUEST FOR A SUPPLEMENTAL APPROPRIATION AMOUNTING  
TO \$6,093,467, TO ADJUST UNIFORMED SALARIES, AS  
AUTHORIZED BY PROPOSITION I, PASSED ON NOVEMBER 4,  
1986

Deputy Chief Casey said this supplemental appropriation is before the Commission tonight as a result of the Passage of Proposition I from this last November's Ballot. He said it must also be approved by the Board of Supervisors so that the Officers of the Department will receive pay raises retroactive to July 1, 1986. Commissioner Davis said he would move approval.

Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1180-86

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation amounting to \$6,093,467 to adjust uniformed salary rates for the current Fiscal Year, retroactive to July 1, 1986. At the election of November 4, 1986, the electorate of the City and County of San Francisco approved Proposition I, which amended City Charter Section 8.405, which authorizes pay rates paid uniformed members of the Police and Fire Departments be adjusted during the Fiscal Year, should cities which are included in the annual salary survey settle after August 25th. The City of Los Angeles did settle after August 25, 1986.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

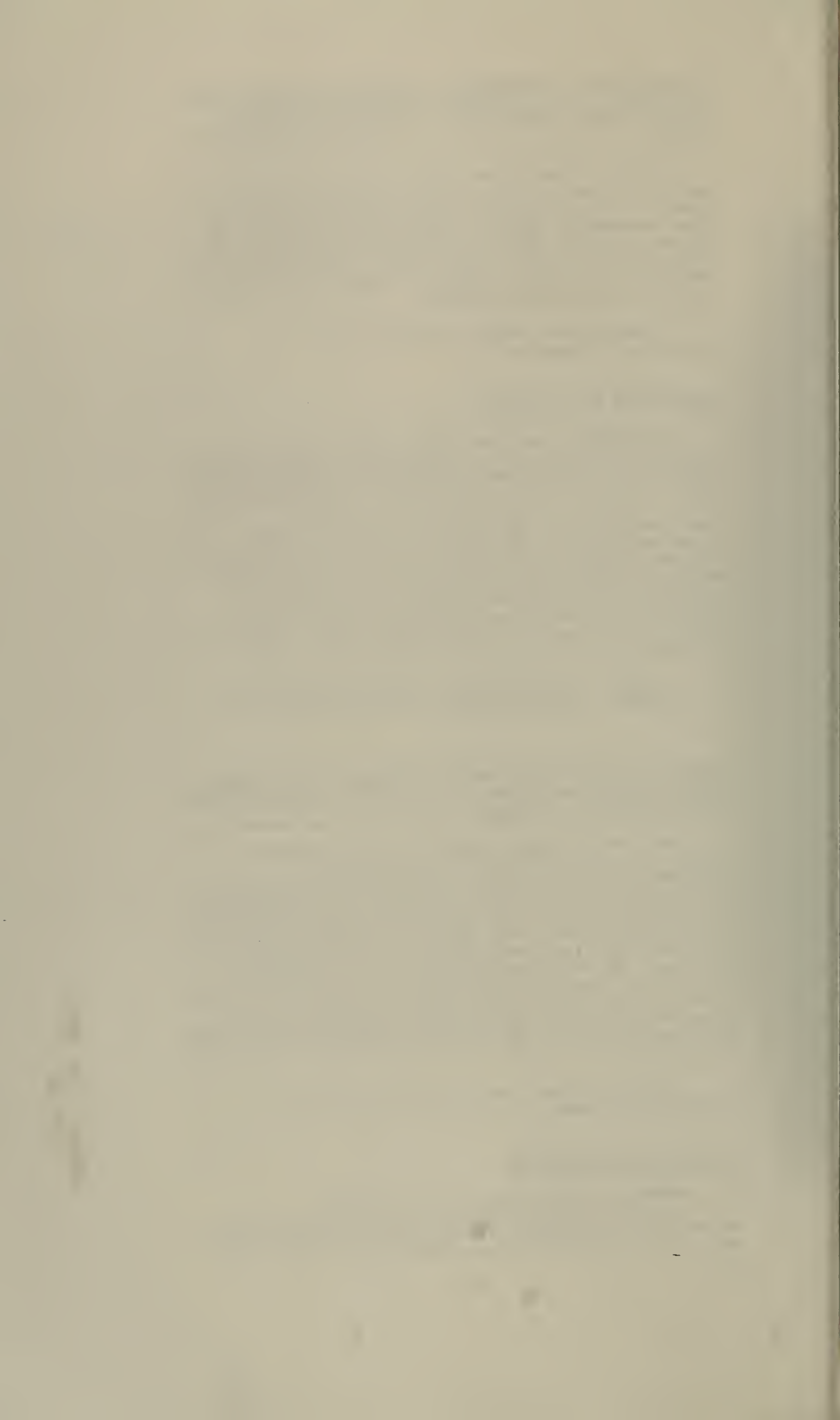
HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST  
POLICE INSPECTOR THOMAS M. MAZZUCCO, INVESTIGATIONS  
BUREAU/JUVENILE SECTION

Mr. Dave Clisham, Attorney for Inspector Mazzucco said he would like to move for a continuance of this matter on the sole ground that all Commissioners are not present. He said he and his client felt it is a very serious matter and the allegations against the Inspector involve substance abuse and it also involves the issue of drug testing. He said they felt that it is appropriate in terms of the possible effect of a policy setting type of arena that this case may present to the Department and he said he would urge that it may be more appropriate to have all five Commissioners hear the matter.

The matter was then tentatively set for December 10, 1986.

RESOLUTION NO. 1186-86

WHEREAS, the hearing of the amended disciplinary charges filed against Inspector Thomas M. Mazzucco, Investigations Bureau/Juvenile Section, was called it having been scheduled for this date; and

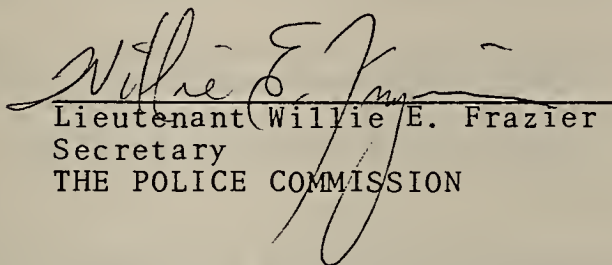


WHEREAS, it was requested by the Police Commission at the Commission meeting on Thursday, November 20, 1986 that the date for the hearing of the disciplinary charges filed against Inspector Thomas M. Mazzucco be set for February 5, 1987; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Inspector Thomas M. Mazzucco, Investigations Bureau/Juvenile Section, is set for Thursday, February 5, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Nelder, Owens  
ABSENT: Commissioners Giraudo, Sanchez

The meeting, thereafter, was adjourned at 8:00 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION



*Minutes*  
NOVEMBER 14, 1985

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 14, 1985 at 1700 hours on a Special Meeting.

PRESENT: Commissioners Sanchez, Hsieh, Toler  
ABSENT: Commissioners Nelder, Daly

1. Attorney-Client Conference

Commissioner Sanchez presiding.

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NOVEMBER 14, 1985

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 14, 1985 at 1730 hours on a Regular Meeting.

PRESENT: Commissioners Sanchez, Hsieh, Toler  
ABSENT: Commissioners Nelder, Daly

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 24, 1985

The minutes of the meeting of October 24, 1985 were approved, the Commissioners having received, approved and returned copies of same

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 1198-85

AUTHORIZATION OF LT. THOMAS SUTTMEIER AND POLICE SERVICES AIDE DEWAYNE TULLY TO ATTEND FINDING SUPPORT IN HARD TIMES IN SACRAMENTO FROM DECEMBER 11 TO DECEMBER 12, 1985

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Thomas Suttmeier and Police Services Aide Dewayne Tully, Planning Division, be authorized to attend "Finding Support in Hard Times", conducted by State Agency Grantspeople Exchange in Sacramento, California from Dec. 11 to Dec. 12, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of \$30.00 each for tuition will be defrayed by the Department Training Fund.

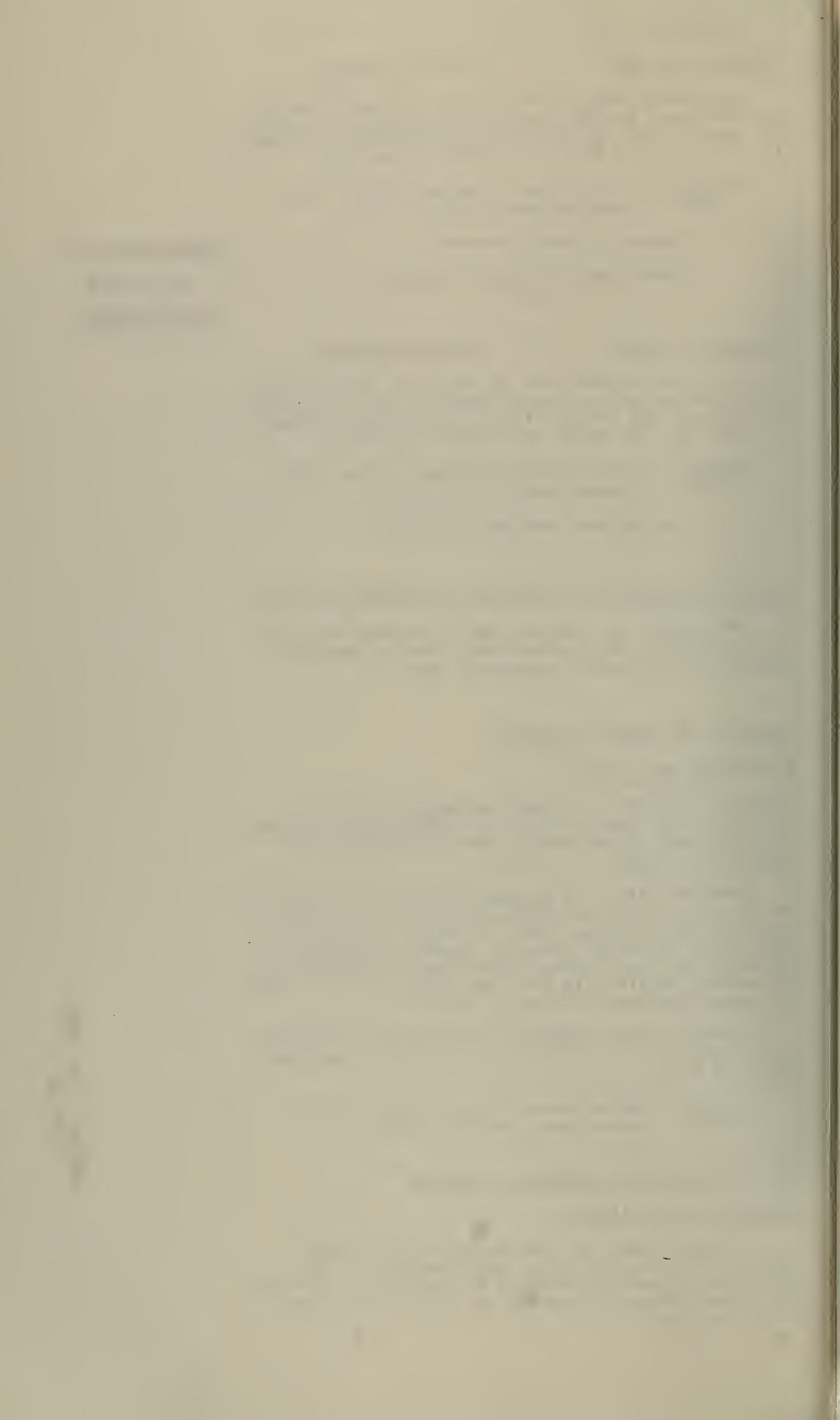
AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Nelder, Daly

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1199-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.





Captain Charles Beene  
Lt. George Kowalski

(FBI National Academy  
Associates Training  
Session  
(San Diego, California  
(09/29/85 - 10/01/85  
(\$242.00 and \$60.00,  
respectively

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Nelder, Daly

RESOLUTION NO. 1200-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Donald P. Carlson (Middle Management Course  
(La Selva Beach,  
California  
(10/14/85 - 10/25/85  
(\$910.00, \$1,090.00  
refund

RESOLUTION NO. 1201-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Peter Godbois (Technical Accident  
Inspector Robert Rames Investigation, Vehicle  
Dynamics and Traffic  
Accident Reconstruction  
(Evanston, Illinois  
(09/23/85 - 10/25/85  
(\$5,102.00 and \$4,792.00,  
respectively

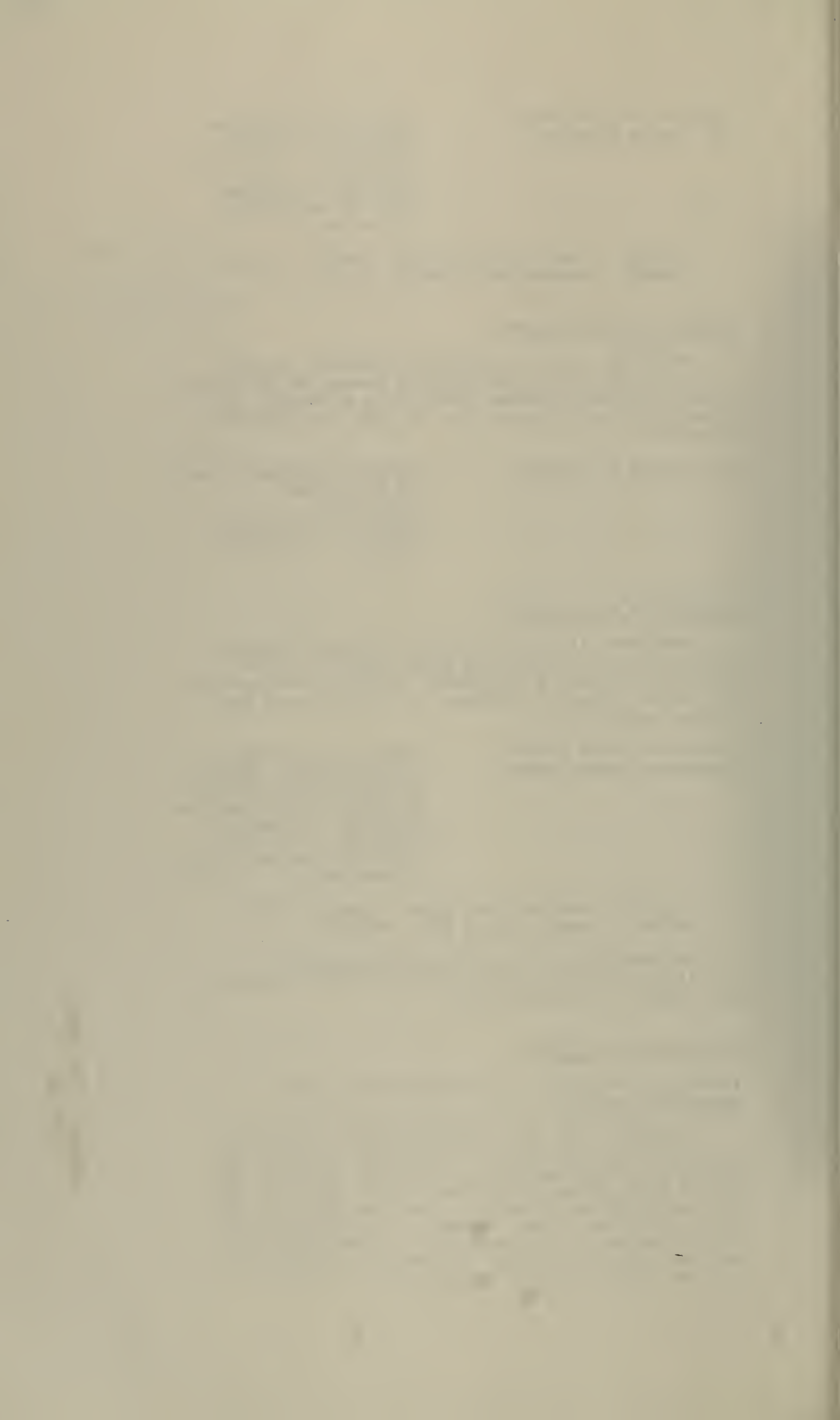
AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1185-85

ROBERT LEE FOLMER vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Lee Folmer vs. City and County of San Francisco in the sum of \$500.00 entitled "Robert Lee Folmer vs. City and County of San Francisco, DOE One, DOE Two, DOE Three, DOE Four, Black Company, a corporation and White Company a co-partnership" in Municipal Court No. 844-853 as the result of damages sustained, be, and the same is hereby approved.



Date of Incident: May 11, 1982

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

RESOLUTION NO. 1186-85

ANDREW P. KANGAS vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew P. Kangas vs. City and County of San Francisco, et al in the sum of \$100.00 entitled "Andrew P. Kangas vs. City and County of San Francisco, Cornelius P. Murphy, individually and as Chief of Police of the City and County of San Francisco, David Bowman, individually and as Police Officer of the City and County of San Francisco, and DOES I through X, inclusive" in Superior Court No. 793-459 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 26, 1981

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

RESOLUTION NO. 1187-85

DEBORAH A. WEISS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah A. Weiss in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1985

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Nelder, Daly

POLICE COMMISSION REPORT

Commissioner Sanchez said he had just one comment and that was to say that he had the opportunity of attending the 162nd Recruit Academy Graduation. One of the most significant things, he said, about this event is that usually one officer is given the award for academic excellence but in this case three officers were given the award. He said this class was one of the highest scoring, academic wise, to have gone through the Academy. He continued by saying everyone wishes them luck in their FTO activities and feel sure they will be valuable assets pertaining to the high quality of Law Enforcement that the Police Commission is committed to in this city.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief George Eimil said the Chief was away and will not return until tomorrow.





RESOLUTION NO. 1194-85SETTING OF DATE FOR HEARING OF POLICE RECRUIT OFFICER  
JULIAN A. HILL, POLICE ACADEMY

WHEREAS, the date for the setting of the hearing of disciplinary charges filed against Police Recruit Officer Julian A. Hill, Police Academy, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for December 12, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Recruit Officer Julian A. Hill, Police Academy, is set for Thursday, December 12, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1195-85SETTING OF DATE FOR HEARING OF POLICE OFFICER NATHAN  
JOHNSON, RICHMOND STATION

WHEREAS, the date for the setting of the hearing of disciplinary charges filed against Police Officer Nathan Johnson, Richmond Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for December 19, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Nathan Johnson, Richmond Station, is set for Thursday, December 19, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1196-85REQUEST OF THE CHIEF OF POLICE TO ADD LONGEVITY  
STRIPES TO BE WORN BY ALL QUALIFYING Q2 POLICE  
OFFICERS AND Q50 SERGEANTS ON LONG SLEEVE SHIRTS AND  
WOOL JACKETS

RESOLVED, that the uniform long sleeve shirts and wool jackets worn by Q2 police officers and Q50 sergeants rank shall display one longevity stripe on the left arm immediately forward of the crease and 2 inches above the cuff on shirts, and 1 inch above cuff braid on wool jackets sewn on according to military specifications for each five years of service, and be it further



RESOLVED, longevity stripe shall be approximately one and three quarters by one-half inch in size manufactured on an approximate forty five degree angle, and royal blue background to match shoulder patch, gold border to match shoulder patch, mounted on black ground. Mounting on sleeves shall be at approximately forty five degrees, downward points inward.

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

RESOLUTION NO. 1184-85

RECOMMENDATION OF THE CHIEF OF POLICE FOR THE  
REVOCATION OF JITNEY BUS PERMIT #18, HELD BY MR. MAXI  
GARCIA

WHEREAS, Mr. Maxi Garcia was granted a Jitney Bus Permit pursuant to Proposition "K" on August 29, 1978 to operate a Jitney Bus on the Mission Street Route; and

WHEREAS, Mr. Garcia's insurance was cancelled by his insurance company on August 24, 1985, and Mr. Garcia was sent written notice of the cancellation by the Permit Section of the San Francisco Police Department on August 27, 1985; and

WHEREAS, ten days have passed since the cancellation of insurance coverage, and no insurance has been submitted by Mr. Garcia; and

WHEREAS, Section 4a of Proposition "K" requires the daily and regularly operation of a motor vehicle for hire permit. A permittee's failure to do so for ten (10) consecutive days mandates The Police Commission to revoke that permit; and

WHEREAS, the Permit Section of the Police Department files indicate that Mr. Garcia is in violation of Section 1089 and 1090 of the Police Code and Section 4a of Proposition "K", as Section 1089 of the Police Code requires compliance with Section 1080.1 or 1080.2 of the Police Code; and

WHEREAS, these Sections require insurance to be on file with The Police Commission before a Jitney Bus Permit can be issued or operated. Section 1090 of the Police Code requires replacement of cancelled insurance policies; and

WHEREAS, Mr. Garcia has not responded to the Permit Section correspondence, was not present at last night's Police Commission Hearing, and was not represented by council; therefore be it

RESOLVED, that it is the Order of The Police Commission, based on the findings of the facts by the Chief of Police, that  
The Police Commission hereby directs the Permit Section of the  
San Francisco Police Department of the City and County of San Francisco to Revoke the license/permit authorizing Maxi Garcia to operate a Jitney Bus on the Mission Street Jitney Bus Route.

AYES: Commissioners Toler, Hsieh, Sanchez  
ABSENT: Commissioner Daly, Nelder





RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE  
COMMISSION REVOKE JITNEY BUS PERMIT HELD BY ARMANDO  
PEREZ

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Continued one week.

PUBLIC HEARING ON PUBLIC CONVENIENCE AND NECESSITY  
FOR THE ISSUANCE OF ADDITIONAL TAXICAB OWNER PERMITS

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Commissioner Sanchez said for the benefit of those who were not present last week advised that there would be a sign up sheet for those who are speaking in favor of issuance and for those who are speaking against issuance. He said a number of applicants or interested parties may have written comments or statements they may like to make as a matter of record which will be accepted. He said last week the Commission set a policy limiting the speakers to 3 minutes which was honored by all and found to be a valid procedure and the Commission will continue that policy tonight. He said this will not deprive anyone from making additional comments in writing which will be submitted as part of the record. He said the Commission will not rule on the findings that they have listened to in reference to last week and this week. He said they will take the matter under consideration and issue a decision on December 5th on the findings of the Public Convenience and Necessity Hearings. The parties that were in favor of issuing new permits were Mr. Jack Trad and Ms. Michelle Daubissat. The parties against were: Mr. Eric Chester, Mr. Brad Newsham, Jeffrey Mann, Roger Ray, Keith Raskin, Lawrence Schiller, Henry Stern, Bob Franklin, John Kerr, Julian Lagos, Robert Richardson, Marvin Gralnick, John Tolliver, Wayne Canterbury, Rua Graffis, Thomas Zahuranec, Ed Burke, Jean Burke and Larry Russell. After listening to testimony from all of the above Commissioner Hsieh moved that the verbal portion of testimony for the hearing be closed but that written testimony would still be received for the meeting of December 5th. The motion was seconded by Commissioner Toler and unanimously approved.

Commissioner Hsieh then requested the Department send a letter to the State PUC asking for the numbers of permits they have issued for vans and shuttle buses from early 1984 to October 1985. Commissioner Sanchez said he would like to add to it and request a brief paragraph on what their criteria is regarding the enforcement for the State PUC licenses and how many within the Bay Area of San Francisco in particular have been either called on the carpet or have been cited for failure to comply. Thereafter the matter was continued to December 5, 1985.

(The entire hearing was recorded in shorthand form by Ms. Linda Pransky CSR and a transcript is on file in the office of the Police Commission).

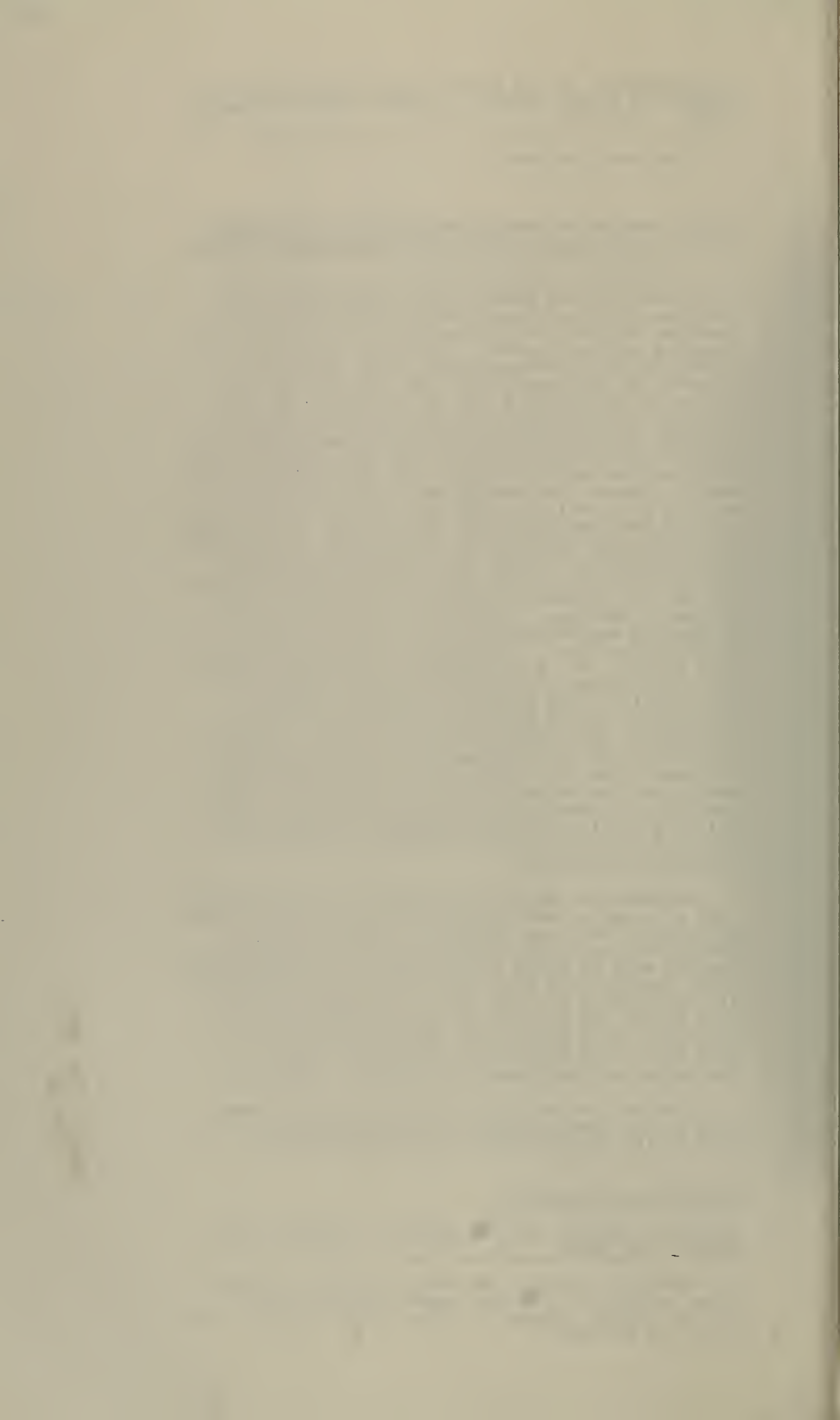
RESOLUTION NO. 1197-85

HEARING OF POLICE OFFICER KENNETH H. FOSTER, PATROL  
BUREAU TASK FORCE

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WHEREAS, on April 23, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Kenneth H. Foster, Patrol Bureau Task Force, as follows:





40-

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to obey written orders applicable to his assignment (violation of Rule A-10 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, the Police Commission set Thursday, November 14, 1985, as the date for the hearing on charges filed against Police Officer Kenneth H. Foster; and

WHEREAS, Acting Chief of Police George Eimil announced that the Police Department was in receipt of the resignation of Officer Kenneth H. Foster from the San Francisco Police Department, said resignation effective November 13, 1985, which resignation was accepted with the condition that the services of Officer Kenneth H. Foster have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Officer Kenneth H. Foster, be, and the same are hereby continued off calendar.

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

HEARING OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES  
DIVISION/NARCOTICS

The hearing of Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date.

Police Officer Michael Kenny appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. John Prentice for the Defense. A plea of guilty to Specification No. 2, provided Specifications No.1 and No. 3 are dropped, was made by Attorney Prentice on behalf of Officer Kenny.



The Commission unanimously accepted the plea of Officer Kenny. The Commission then requested the recommendation from the Acting Chief of Police George Eimil. It is the recommendation of Chief Eimil that recommendation on the penalty feature be continued for another week pending the return of Chief Cornelius P. Murphy.

After listening to testimony from the above parties, the Commission then adjourned at 7:35 p.m., and the matter was continued to Thursday, November 21, 1985 at 5:30 p.m. in Room 551, Hall of Justice, for a decision on the penalty feature.

AYES: Commissioner Hsieh, Sanchez, Toler  
ABSENT: Commissioner Daly, Nelder

RESOLUTION NO. 1188-85

NOTIFICATION AND FILING OF CHARGES AGAINST MICHAEL T. KENNY, VICE CRIMES/NARCOTICS DIVISION

Whereas, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael T. Kenny, Vice Crimes/Narcotics Division, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

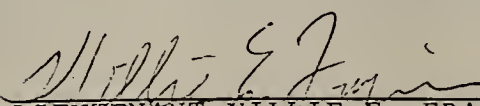
Sexual harassment of a City and County employee (violation of Section 16.9-25(a) of the San Francisco Administrative Code).

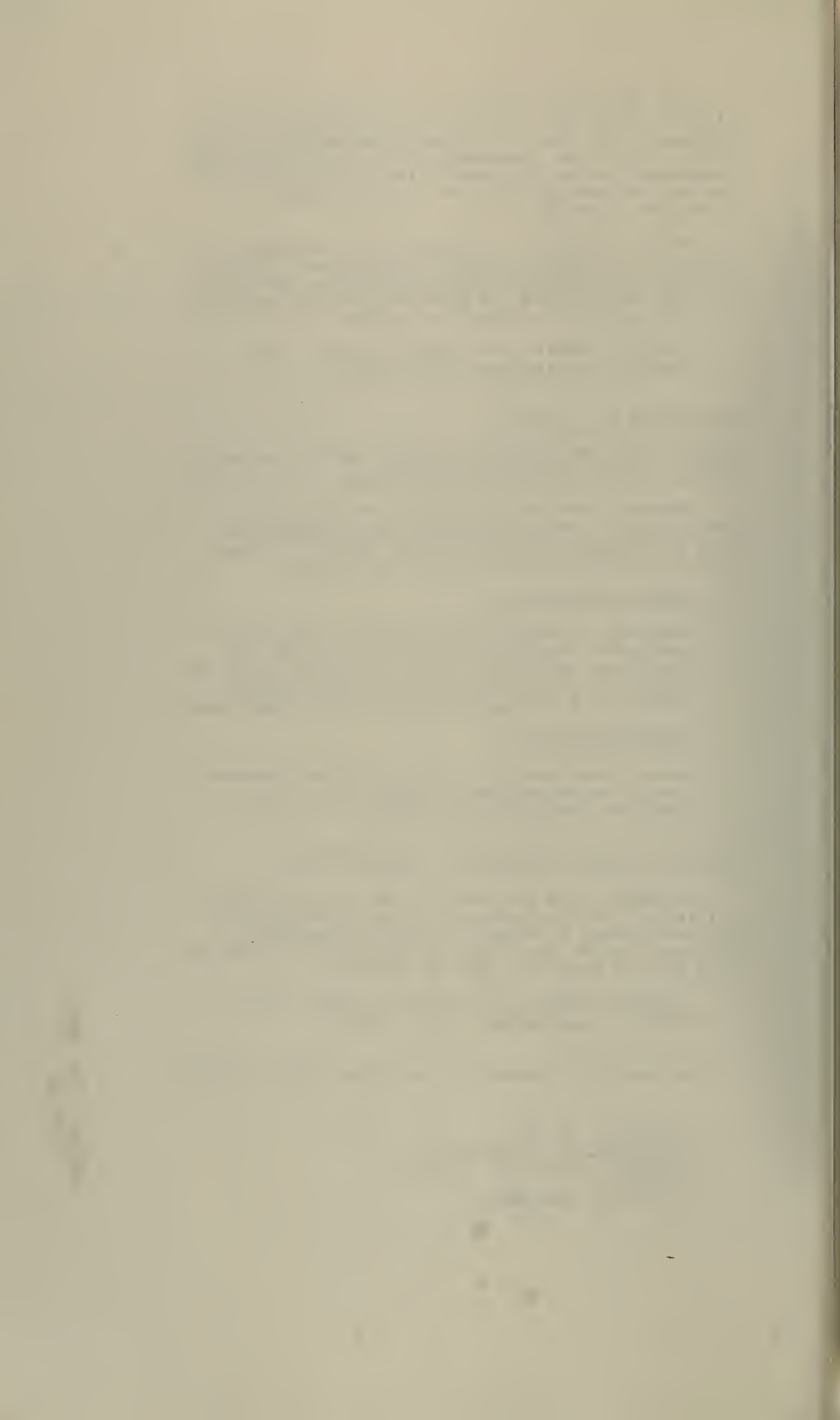
by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Michael T. Kenny, Vice Crimes/Narcotics Division, is set for Thursday, November 21, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Sanchez, Toler  
ABSENT: Commissioners Daly, Nelder

The meeting, thereafter, was adjourned at 7:35 PM.

  
LIEUTENANT WILLIE E. FRAZIER  
SECRETARY  
THE POLICE COMMISSION





3 Minute  
F 45  
2  
17/86  
NOVEMBER 17, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Monday, November 17, 1986 at 1700 hours in a Special Meeting.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

FEB 3 1987

HEARING OF POLICE OFFICER HARUKI MASTERS, POTRERO STATION

SAN FRANCISCO  
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The hearing of the disciplinary charges filed against Police Officer Haruki Masters, Potrero Station, was called it having been continued from the meeting of October 23, 1986.

Police Office Haruki Masters appeared in person and was represented by Mr. Martin Lurie, Attorney at Law.

Mr. Michael Gash, Attorney at law, appeared on behalf of the San Francisco Police Department.

The following named witnesses were called by the Defense, were sworn and testified:

Lieutenant Homer Huddleson, Company C  
Officer Haruki Masters, Company C  
Sergeant Isaac J. Henry, Company C  
Dr. Fred Suess, 4141 Geary Boulevard  
San Francisco, CA

The following exhibits were entered into evidence by the Defense:

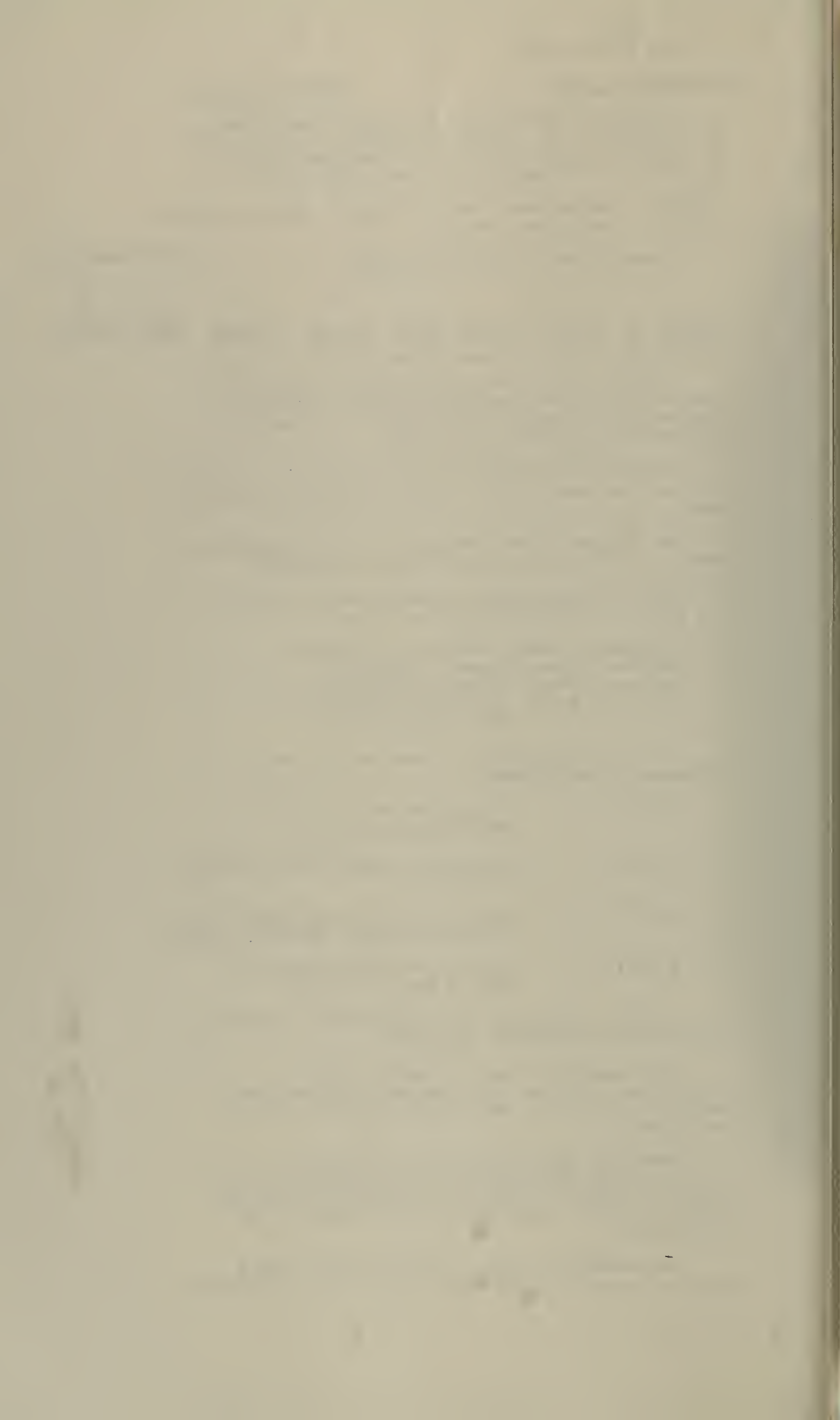
Exhibit C	7 Captains and 4 Citizens Complimentary letters
Exhibit D	22 Letters complimenting Officer H. Masters
Exhibit E	Results of Urine and Blood Test of Officer Haruki Masters, 9/2/86
Exhibit F	Two 3" x 4" Color Photos of Officer Masters' arms

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Specification No. 1 and Specification No. 2 are sustained.

Based on those findings the Commission requested a recommendation from the Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Officer Haruki Masters be terminated.

The Commission again took the matter under submission and the following resolution was adopted:



RESOLUTION NO. 1215-86

WHEREAS, on August 26, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Haruki R. Masters, Potrero Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

- (1) At all times herein mentioned, Haruki R. Masters, Star No. 904, was and is a probationary police officer employed by the San Francisco Police Department and assigned to the Golden Gate Division, Potrero District;
- (2) As a police officer, Officer Masters (hereinafter) "the accused" was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On or about July 14, 1986, the Department was informed by a confidential informant that the accused used heroin and methadone;
- (4) On or about August 19, 1986, the accused was ordered to the Management Control Division to be examined for the possible illegal use of heroin and methadone;
- (5) On or about August 19, 1986, Sergeant David Robinson, Star No. 1458, of the Vice Crimes Division, Narcotics Section, conducted a controlled substance abuse examination of the accused. This examination disclosed fourteen (14) to seventeen (17) injection sites into the inner folds of the accused's right arm and twelve (12) to sixteen (16) injection sites in the inner folds of the accused's left arm, which are consistent with injections made by persons who use illegal controlled substances;
- (6) The accused by having numerous injection sites in both arms has exhibited symptoms which are consistent with those found in persons who have injected illegal controlled substances, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."





SPECIFICATION NO. 2

Failure to answer questions truthfully and without evasion (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department).

- (7) The allegations contained in paragraphs (1) through (5) of Specification No. 1 are incorporated by reference as if fully set forth herein;
- (8) On or about July 14, 1986, the accused was notified by a female friend that the Department was conducting an investigation into his use of heroin and methadone;
- (9) On or about August 21, 1986, the accused was interrogated by the Management Control Division. The accused when questioned about the needle injection marks on his arms stated that they were caused by burns he received accidentally on July 16, 1986 when he picked up a hot barbeque;
- (10) On or about August 25, 1986, the accused was examined by the Police Surgeon, Dr. Norman Steiner. Dr. Steiner's examination disclosed that the marks at the inner folds of the accused's arm were conducive to the use of needles in his veins and were inconsistent with burn marks;
- (11) The accused's statement to the Management Control investigators that the marks to his arms were caused by a burn is inconsistent with physical examination of the inner folds of his arms; therefore, the accused by failing to tell the truth about the marks to the inner folds of his arms has been untruthful when questioned by the Management Control investigators, which constitutes a violation of Rule A-21 of General Order D-1 which states:

"Members shall, when questioned on matters relating to their employment with the police department by a superior officer or by one designated by a superior officer for this purpose, answer all questions truthfully and without evasion. Prior to being asked to respond to the questions the member shall be advised of an afforded all his/her civil and employee rights as provided at that time by law or contractual agreement."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, October 23, 1986 and Monday, November 17, 1986, and on Monday, November 17, 1986, the matter was submitted to the Police Commission for decision; and





WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Haruki R. Masters as contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-21 of General Order D-1 of the San Francisco Police Department, are sustained by the evidence presented in the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Haruki R. Masters has violated Rule A-9 of General Order D-1 of the San Francisco Police Department and Rule A-21 of General Order D-1 of the San Francisco Police Department; and for said violations he shall be dismissed from the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Davis, Giraudo, Owens, Sanchez  
ABSENT: Commissioner Nelder

Recesses taken during the hearing of Officer Haruki R. Masters:

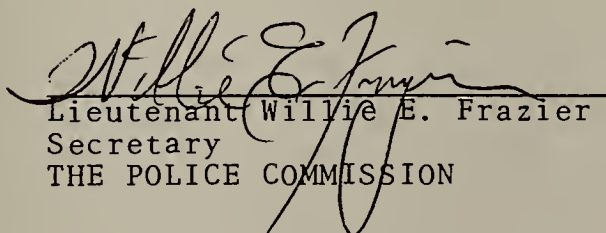
7:20 p.m. to 7:26 p.m.

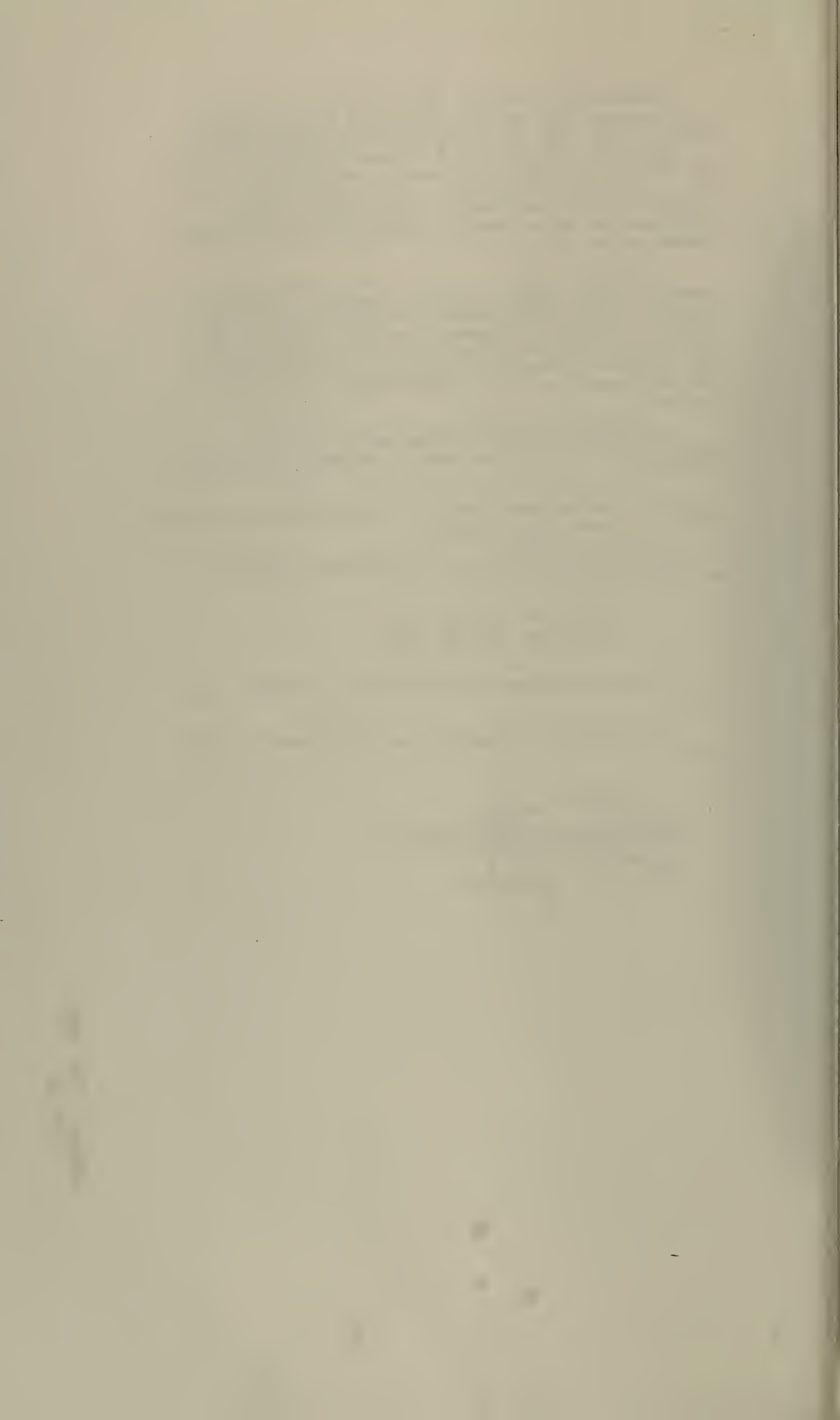
7:37 p.m. to 7:55 p.m.

7:59 p.m. to 8:11 p.m.

(This proceeding was recorded on cassette tape only.)

The meeting, thereafter, was adjourned at 8:45 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION



Minutes  
NOVEMBER 20, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 20, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Owens, Nelder, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 2, 1986

Approval of Minutes of Meeting of October 2, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

No item on Consent Calendar.

DOCUMENTS DEPT.

FEB 10 1987

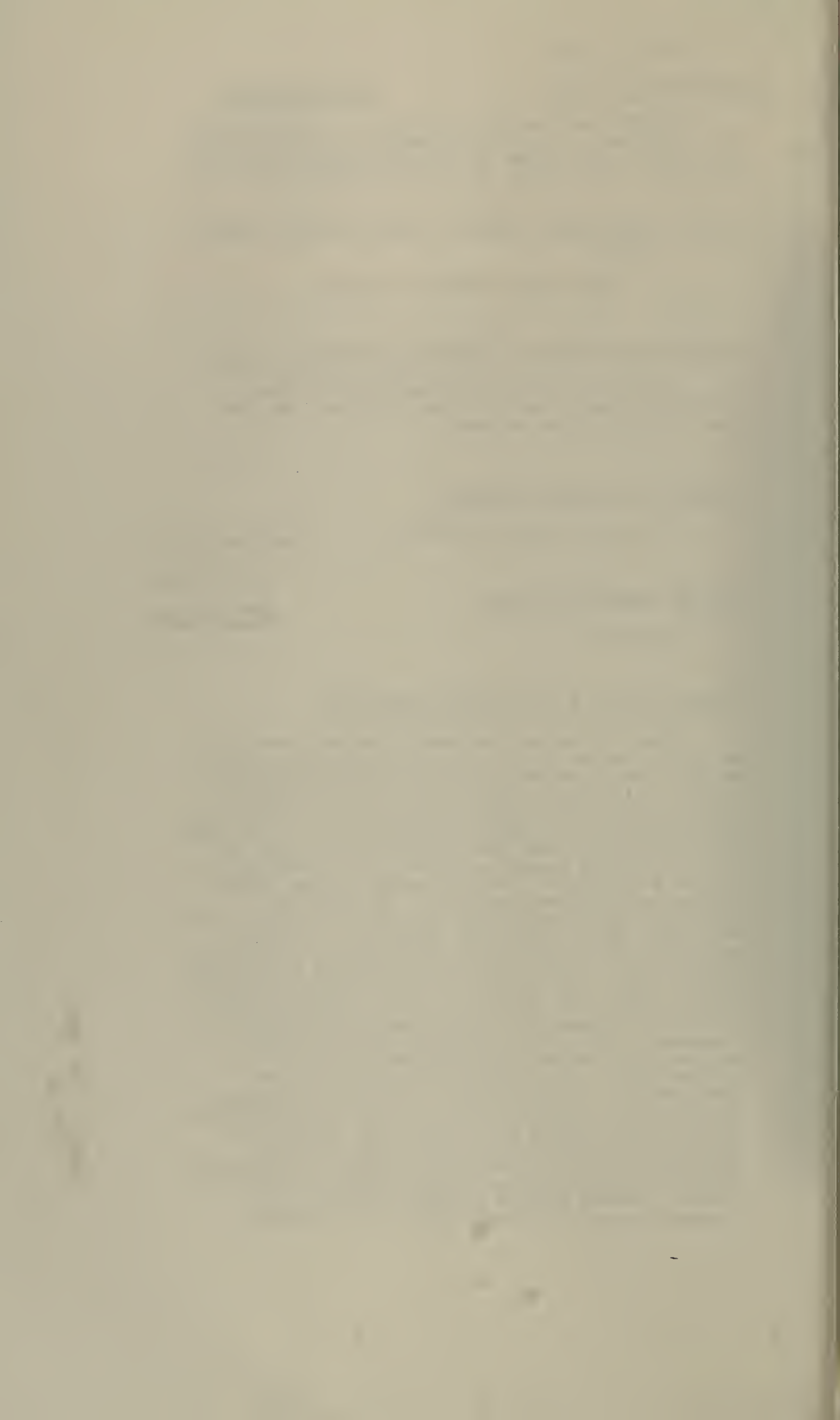
POLICE COMMISSION REPORT

No report.

SAN FRANCISCO  
PUBLIC LIBRARY

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he would give the Commission an update on the Traffic Plan in the Downtown area. He said the first phase, part of a press release today, is the Truck Yellow Zones in the Downtown Areas specifically in an eighth square block location which would be from Market Street south to Pine then North to battery and West to Kearny. He said the idea is to have enough turnovers in the parking of trucks so that there isn't a number of them double parking and blocking corridors. He said the Department will use parking controller discretion to determine whether there is any kind of activity around the truck where this unloading or loading is taking place. More time will be allowed to have the vehicle's property removed from the truck or placed on the truck. He said this is only one phase and there are a number of other areas the Department is concerned with since the Holiday Season is fast approaching. He said the Department now has 15 parking controllers scheduled to start in the downtown area to also enforce the double parking regulations. Some he said, will be at intersections to keep the gridlock from occurring. He said 18 police officers will be assigned the day after Thanksgiving and for the entire month of December at 18 key strategic intersections in order to keep the traffic flowing both at arteries that go on to freeways as well as places around Union Square.





PROPOSED AMENDMENTS TO THE OFFICE OF CITIZEN  
COMPLAINTS INVESTIGATIVE HEARING RULES

Commissioner Sanchez said this item was held over from a previous meeting so as to allow for additional input and discussion pertaining to the proposed amendments. He said it should also be noted that the Commission received, as of about an hour ago, some more materials pertaining to this item, both from the ACLU and the POA. He then invited others, who were interested to speak on the subject. The following speakers were: Mr. Frank Schober, Director, Office of Citizens Complaints, Mr. David Clisham, Atty. for the SFPOA, Mr. Tom Owens, Deputy City Attorney and Mr. John Crew, Atty. for the ACLU. After listening to arguments from all of the above named speakers the Commission adopted the following resolution:

RESOLUTION NO. 1220-86

WHEREAS, the Police Commission discussion and possible decision on the proposed amendments to the Office of Citizen Complaints Investigative Hearing Rules was called it having been continued from the meeting of October 30, 1986; and

WHEREAS, testimony was heard from Mr. Frank Schober, Director, Office of Citizen Complaints; Mr. John Crew, American Civil Liberties Union; Deputy City Attorney Tom Owens, and Mr. Dave Clisham, Attorney for Police Officers' Association, and

WHEREAS, the Commission, having listened to the above parties, found no reason to disapprove the proposed amendments to the Office of Citizen Complaints Investigative Hearing Rules; therefore be it

RESOLVED, that the Police Commission hereby approves the proposed amendments to the Office of City Complaints Investigative Hearing Rules.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

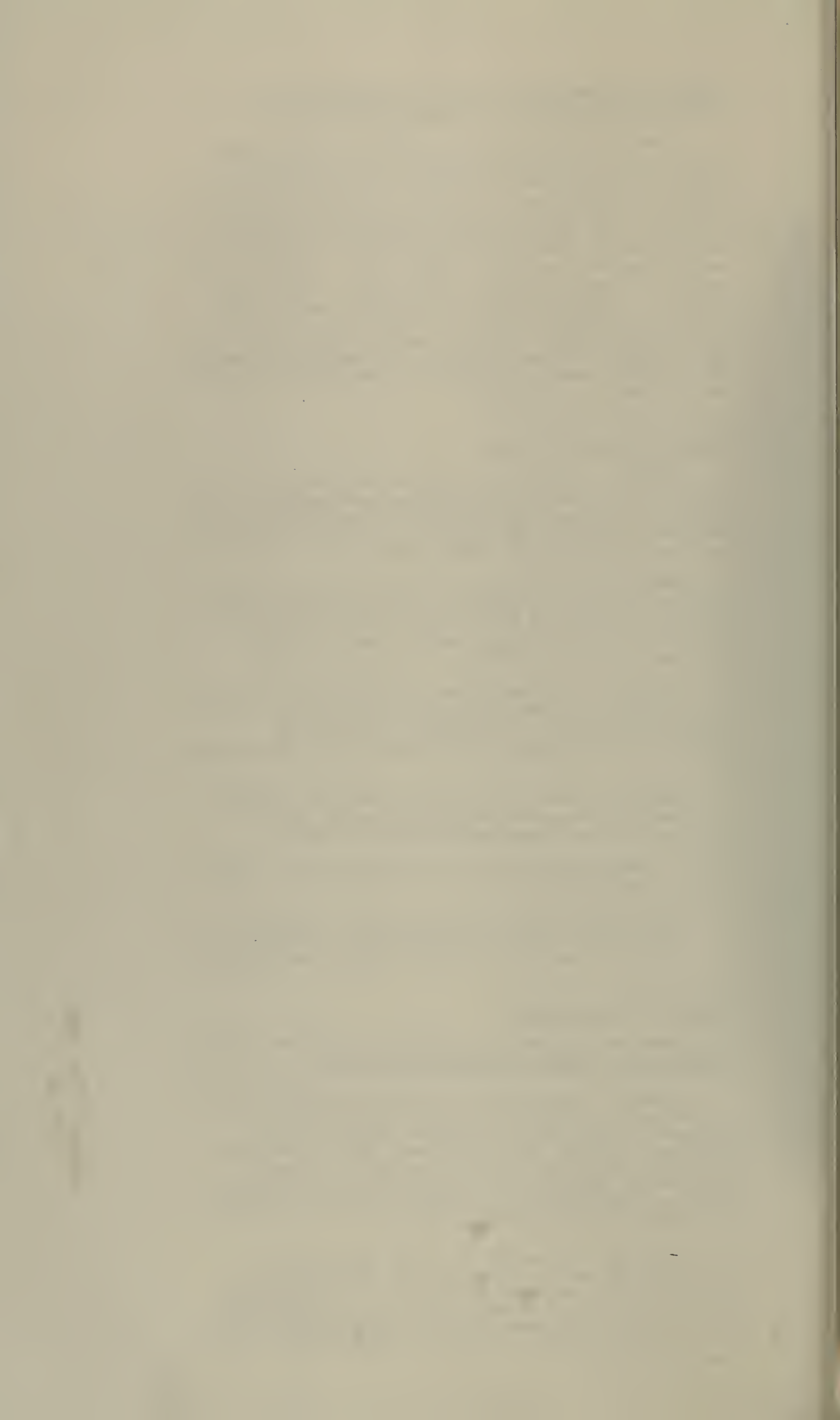
(The entire text of this item was taken in shorthand form by Linda Pransky, CSR and is on file in the Office of the Police Commission.)

RESOLUTION NO. 1216-86

ACCEPTANCE OF A GIFT OF A TDD DEAF TELEPHONE FROM AN  
ORGANIZATION CALLED "TELEPHONE PIONEERS"

WHEREAS, a non-profit organization made up of active and retired Pacific Telephone Company engineers called the "Telephone Pioneers" has generously gifted this Department with a TDD Deaf Telephone which has a retail value of between \$175.00 and \$250.00 which enables deaf and speech impaired individuals to communicate using standard telephone lines and equipment, and

WHEREAS, the George S. Ladd Chapter of Telephone Pioneers, through their Chairman, Mr. Louis Maracci, have provided us with a mechanism which will readily permit hands-on training without risk to effective deaf-call handling and improved our service capability to the hearing impaired; now therefore be it



RESOLVED, that the Police Commission hereby approves the acceptance of a gift of a TDD Deaf Telephone from the Telephone Pioneers to the Police Department.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RECOMMENDATION OF THE CHIEF THAT THE POLICE COMMISSION REVOKE LIMOUSINE PERMIT #1-18 AND MOTORIZED RICKSHAW PERMITS MR-1, MR-2 AND MR-3 HELD BY EDMUND JUNG AND DENIAL OF HIS SUSPENSION OF OPERATION REQUEST

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Lt. Greg Winters said that for a variety of reasons including staff changes within the City Attorney's Office, the City Attorney's Opinion, requested by the Commission, is not yet ready and will not be ready for probably another 4 weeks. He said he would request, because of the above stated reasons, that the Commission continue it to January 8 1987. Mr. John Prentice, Mr. Jung's Attorney, said he would have no objection to that continuance. Commissioner Nelder said he would move that it be continued to January 8, 1987. It was seconded by Commissioner Davis and unanimously approved.

RESOLUTION NO. 1221-86

WHEREAS, the date for the hearing on the recommendation of the Chief of Police that the Police Commission revoke Limousine Permit #1-18 and Motorized Rickshaw Permits MR-1, MR-2 and MR-3 held by Mr. Edmund Jung and denial of his suspension of operation request, was called it having been continued from the meeting of October 9, 1986, and

WHEREAS, it was requested by Mr. Eugene B. Elliot, Deputy City Attorney, that the date for the hearing on the revocation of Limousine Permit #1-18 and Motorized Rickshaw Permits MR-1, MR-2 and MR-3 held by Mr. Edmund Jung and his request for suspension of operation, be continued to January 8, 1987; therefore be it

RESOLVED, that the date for the hearing on the revocation of permits held by Mr. Edmund Jung and his request for suspension of operation be set for Thursday, January 8, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RE-HEARING ON THE PETITION OF VETERANS TAXICAB CO. vs. SPECK TAXICAB CO.

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Commissioner Sanchez opened this issue by saying that the Commission has been receiving a great amount of materials from all attorneys involved in this issue and just to refresh the Commission's memory in this matter he verbally reviewed the events of the issue that occurred in 1981.





He thereafter called upon Mr. Gene Elliott, Deputy City Attorney to give a detail account of the facts of the case. Statements were then made by Mr. David Cincotta, Atty. for Speck Cab Co., Lt. Greg Winters, Officer in Charge of the Permit Section, Mr. Richard Lygutis, former Attorney for PAPA and Mr. Lawrence Ball. Other speakers were Mr. Al Hall, Cab Driver, Mr. Larry Russell, Cab Driver, Mr. Arthur Lempke, Cab Driver Owner and Mr. Jack Trag, Cab Driver Owner. Commissioner Giraudo said his concern is the parties to this issue are submitting materials at the last moment for the Commission to read and digest. He said he would make a motion that if there are any more materials to be submitted that they be submitted by the following week and that would be the cut off time for submission of materials on this issue. Commissioner Sanchez said that the date of November 26th, 1986 would be the closure for submission of all documents pertaining to this matter. Commissioner Nelder said he would move that each party involved in this matter shall submit any material to each other by November 26th and this matter shall be continued for a Hearing and decision on January 29th. Commissioner Owens seconded and it was unanimously approved and continued to Thursday, January 29th, 1987.

(The entire context of this matter was recored in shorthand form by Linda Pransky, CSR and is on file in the Office of the Police Commission.)

The re-hearing on the petition of Veterans Taxicab Company vs. Speck Taxicab Company was called it having been continued from the meeting of October 16, 1986.

The following Attorneys appeared in person:

Lawrence Ball, Attorney at Law, representing  
Permit Applicant's Protective Association  
(P.A.P.A.)

David Cincotta, Attorney at Law, representing  
Speck Cab Co.

Wayne Canterbury, Attorney at Law, representing  
Veterans Cab Co.

Gene Elliott, City Attorney's Office  
Lt. Gregory Winters, Permit Section,  
San Francisco Police Department

Because of the last minute receipt of pertinent materials relating to assets of Speck vs. Veterans in the year 1979, the Commissioners, not having the time to review the documents, continued the hearing on this issue until January 29, 1987 in order for the petitioners and respondents to prepare documentation for Commission perusal by November 26, 1986 to thereby enable the Commissioners to study and prepare for the hearing of January 29, 1987.

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
B-1, "PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS  
STANDARDS"

Continued in two weeks.





At this time the matter of Inspector Tom Mazzucco, although not on calendar, was called for setting of a date to hear it when all 5 Commissioners are present. After checking their schedules, the Commission set the date to hear the Disciplinary Charges against Inspector Tom Mazzucco for Thursday, February 5, 1987. (Same resolution was adopted as of November 13, 1986.)

HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

The hearing of the disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, was called it having been set for this date. Police Officer Stephen M. Tittel was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by John J. Jordan, Acting Chief of Police of the San Francisco Police Department.

Police Officer Stephen M. Tittel appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. John Prentice for the Defense. Attorney John Prentice, on behalf of Officer Stephen M. Tittel, entered a plea of guilty to the charges.

The following named witness was called by the Prosecution, was sworn and testified:

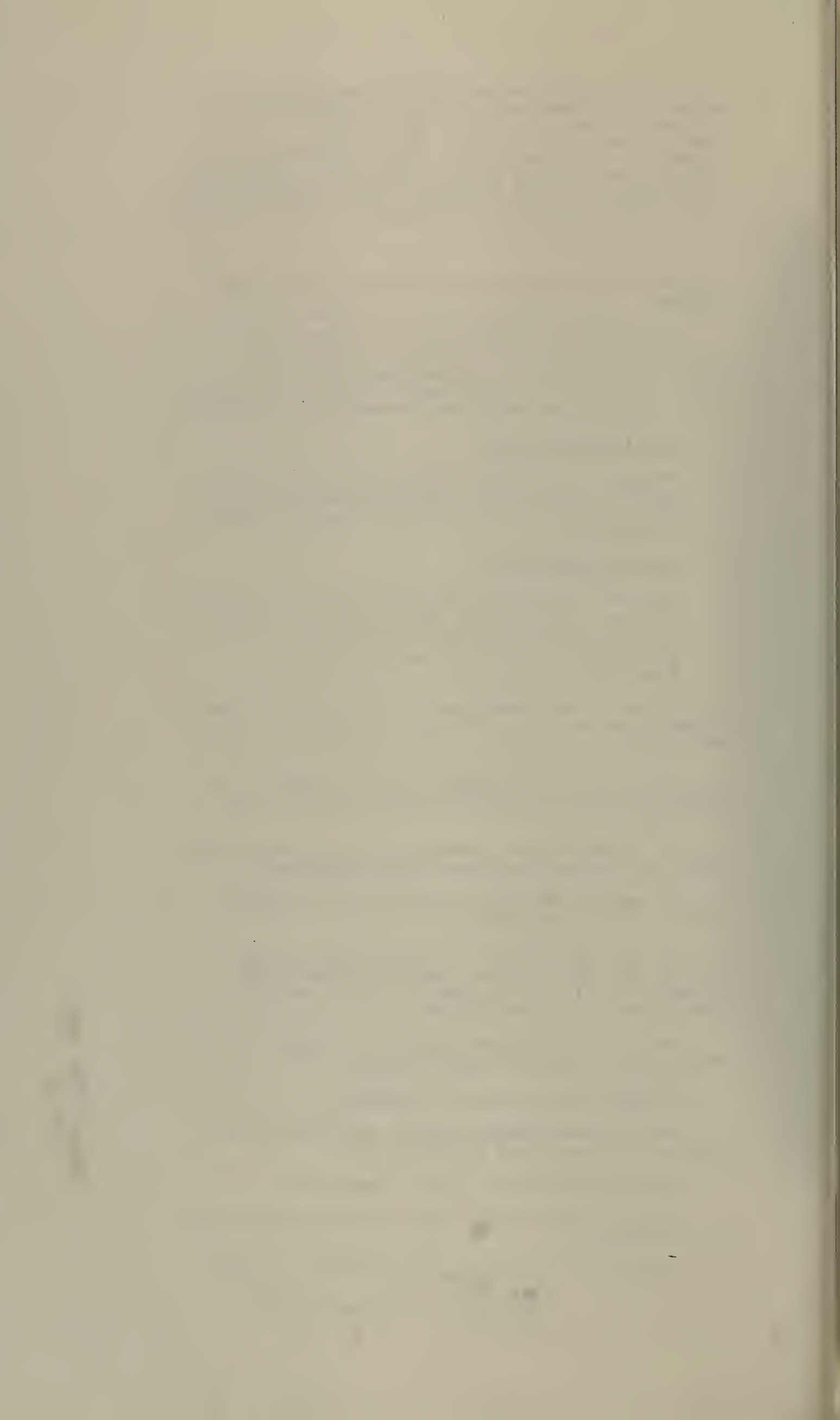
Sergeant Alan Bernardi, Company C

The following named witness was called by the Defense, was sworn and testified:

Officer Stephen M. Tittel, Company F

The following exhibit was entered into evidence by the Defense:

Exhibit A     Letter from Gene Duffy, Jr., Vice President,  
                  "Duffy's" - Myrtledale, dated  
                  09/11/86



The Commission unanimously accepted the plea of guilty to the charges made by Officer Stephen M. Tittel.

Based on those findings, the Commission requested a recommendation from the Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Specification No. 1, Officer Stephen M. Tittel be suspended for 60 days, 30 days to be held in abeyance for two years, provided he enroll in an Alcoholics Anonymous type program, and for Specification No. 2, he is to be suspended for 30 days, 15 days to be held in abeyance for two years. He is to serve a total suspension of 45 calendar days to be served consecutively.

Mr. John Prentice responded to the Chief's recommendation, giving mitigating circumstances.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1218-86

DECISION - HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

WHEREAS, on August 14, 1986, John J. Jordan, Acting Chief of Police, made and served charges against Officer Stephen M. Tittel as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

- (1) At all times herein mentioned, Stephen M. Tittel, Star No. 2104, was and is a police officer employed by the San Francisco Police Department and assigned to the Metropolitan Division, Park District;
- (2) As a police officer, Officer Tittel (hereinafter "the accused") was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (2) On or about May 16, 1986 at approximately 0447 hours after about a seven block freeway vehicle pursuit, Officers Manolete Ortega, Star No. 1348, Clodagh Coles, Star No. 712, and Sergeant Allen Bernardi, Star No. 2008, of the San Francisco Police Department, made a traffic stop of a vehicle driven by the accused as he was exiting Highway 280 via the 25th Street off-ramp.
- (4) Sergeant Bernardi recognized the accused as an off-duty police officer and observed that the accused had a very flushed face, bloodshot, watery eyes and had a heavy alcoholic breath. The accused was also unsteady on his feet and his speech was thick and slurred;





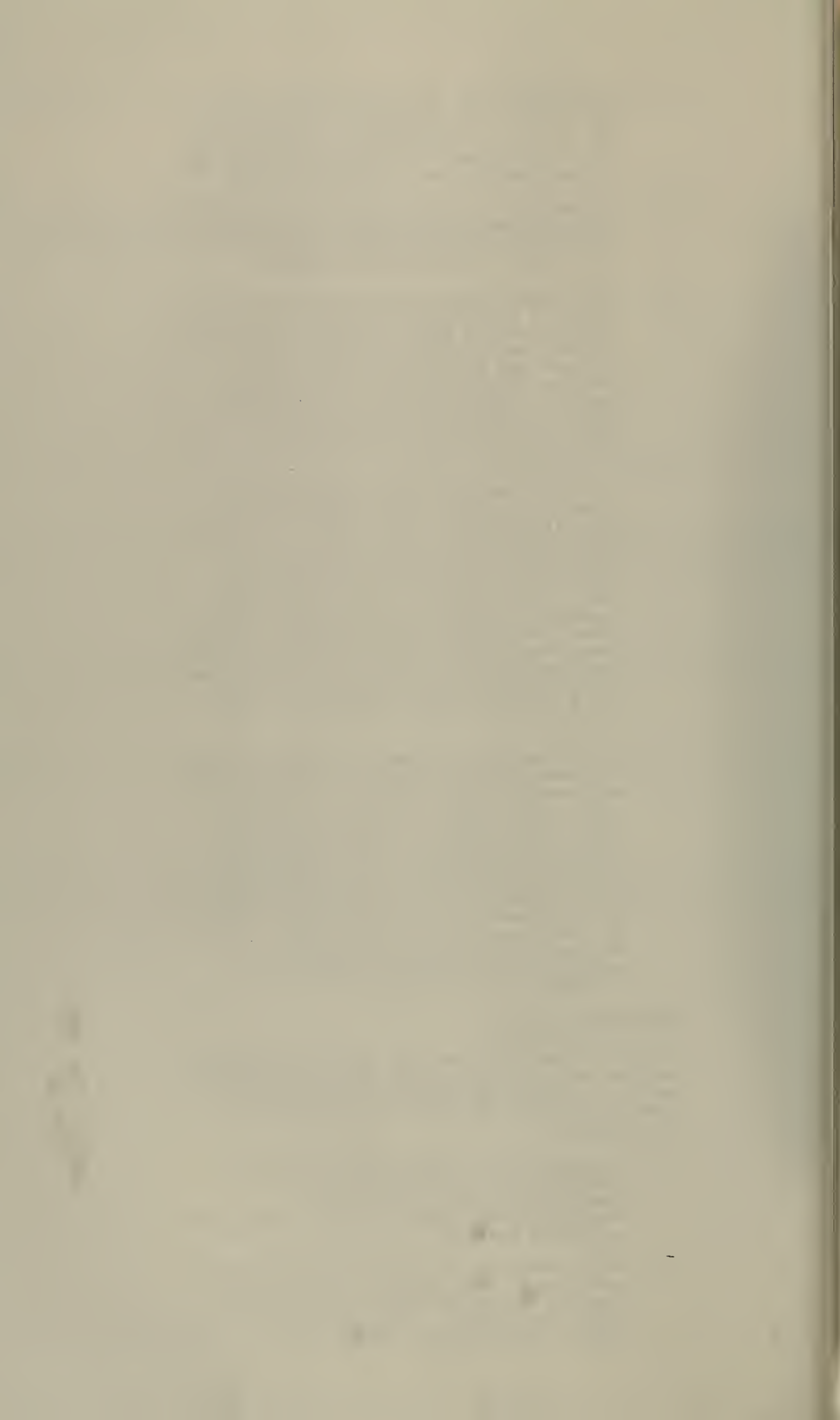
- (5) The accused was arrested by Sergeant Bernardi for driving under the influence of alcohol and transferred to Company K. While at Company K, the accused was given a coordination test, which he failed;
- (6) A member of the California Highway Patrol administered an Intoxilyzer test which indicated that the accused's blood contained .20% alcohol by weight;
- (7) California Vehicle Code Section 23152(a) makes it a misdemeanor to operate a motor vehicle on the public roads of the State of California while under the influence of alcohol and California Vehicle Code Section 23152(b) makes it a misdemeanor to operate a motor vehicle on the public roads of the State of California with more than .10% blood alcohol by weight;
- (8) By failing to stop and causing officers of the San Francisco Police Department to engage in a seven block freeway vehicle pursuit and by driving a motor vehicle on the public roads of the State of California in a condition which would constitute a violation of Vehicle Code Sec. 23152(a) and (b), the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

#### SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

- (9) Each and every allegation contained in paragraphs (1) through (8) of Specification No. 1 are hereby incorporated by reference as though fully set forth herein;
- (10) On or about May 16, 1986 at approximately 0447 hours, when the accused exited his vehicle, he had a loaded firearm in his right rear pocket. The accused also had a loaded firearm in his vehicle;



- (11) The accused, by failing to maintain himself in fit condition to perform police duties while off-duty and carrying a firearm, has engaged in conduct which constitutes a violation of Rule A-3 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, November 20, 1986, and on Thursday, November 20, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-3 of General Order D-1 of the San Francisco Police Department, as preferred by the Acting Chief of Police against Police Officer Stephen M. Tittel, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1

[penalty] 60 calendar days suspension, 30 days to be held in abeyance for two years, providing he enroll in the Alcoholics Anonymous Program.

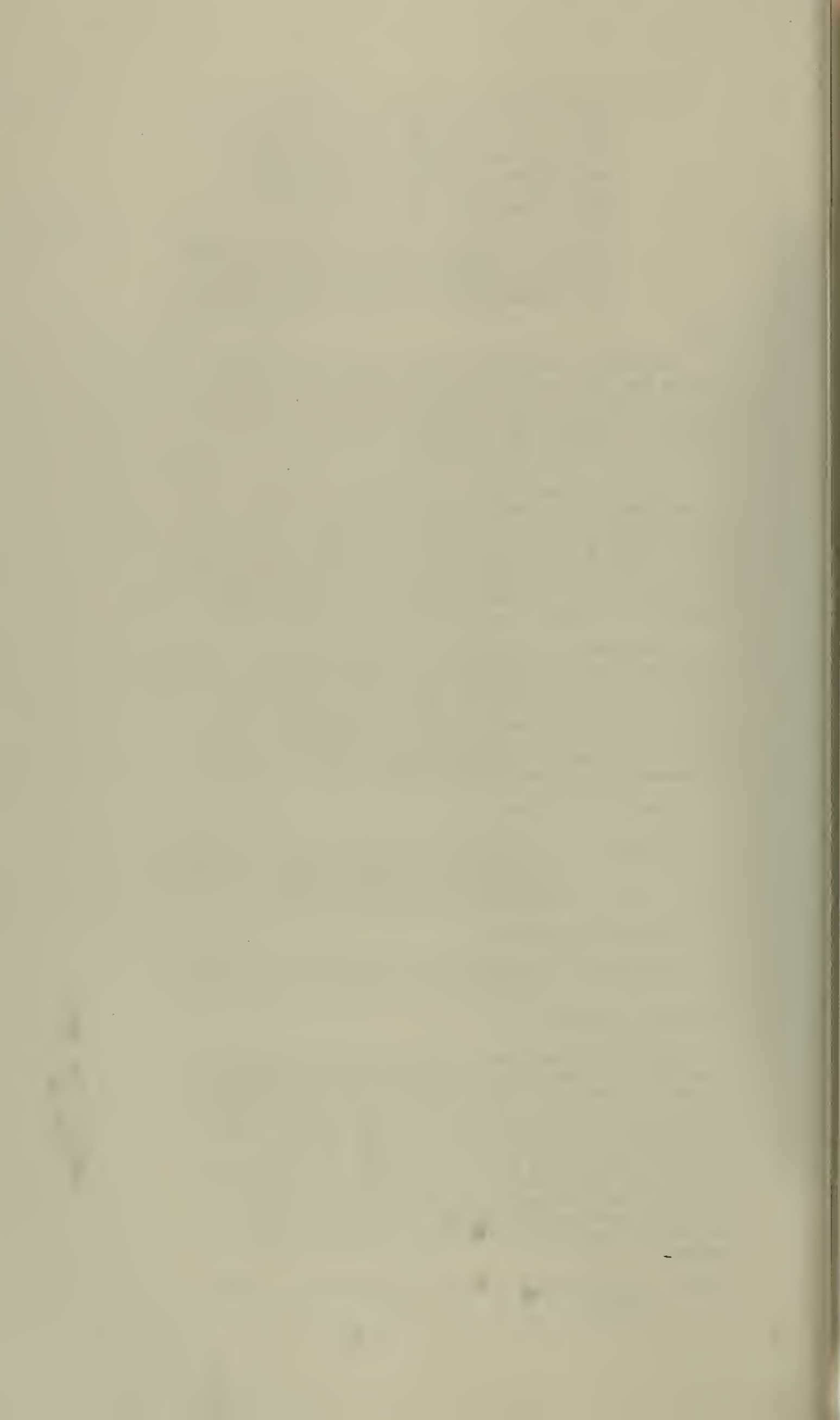
Specification No. 2

[penalty] 30 calendar days suspension, 15 days to be held in abeyance for two years

and be it further

RESOLVED, that said suspension totaling forty five (45) calendar days is to be imposed commencing Friday, November 21, 1986 at 0001 hours and ending Sunday, January 4, 1987 at 2400 hours. The thirty (30) calendar days suspension on Specification No. 1 and additional fifteen (15) calendar days on Specification No. 2 held in abeyance for a total of forty five (45) calendar days are to be held in abeyance for two years. If any violation relating to the charges occurs during this period, the additional forty five (45) days suspension will be imposed.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez





Recess taken during the hearing of Officer  
Stephen M.  
Tittel:

7:52 p.m. to 7:55 p.m.

(The entire proceedings were taken in shorthand  
form by Ms. Linda Pransky, CSR.)

HEARING OF POLICE OFFICER MICHAEL HARRINGTON,  
POTRERO STATION

The hearing of the disciplinary charges filed  
against Police Officer Michael Harrington, Potrero  
Station, was called it having been set for this  
date. Police Officer Michael Harrington was charged  
with violating the Rules and Procedures as follows:

CHARGE NO. 1

Consuming an alcoholic beverage while on duty  
and in uniform.(violation of Rule III,  
subsections A and C, of General Order D-4 of  
the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good  
order, efficiency or discipline of the  
Department and which brings discredit on the  
Department (violation of Rule A-9 of General  
Order D-1 of the San Francisco Police  
Department).

in a properly verified complaint by Frank M. Jordan,  
Chief of Police of the San Francisco Police  
Department.

Police Officer Michael Harrington appeared in  
person and was represented by Mr. Lance Russell,  
Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on  
behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry  
Akins for the Prosecution.

An opening statement was made by Mr. Lance  
Russell for the Defense. Attorney Lance Russell, on  
behalf of Officer Michael Harrington, entered a plea  
of guilty to the charges.

The following named witnesses were called by  
the Prosecution, were sworn and testified:

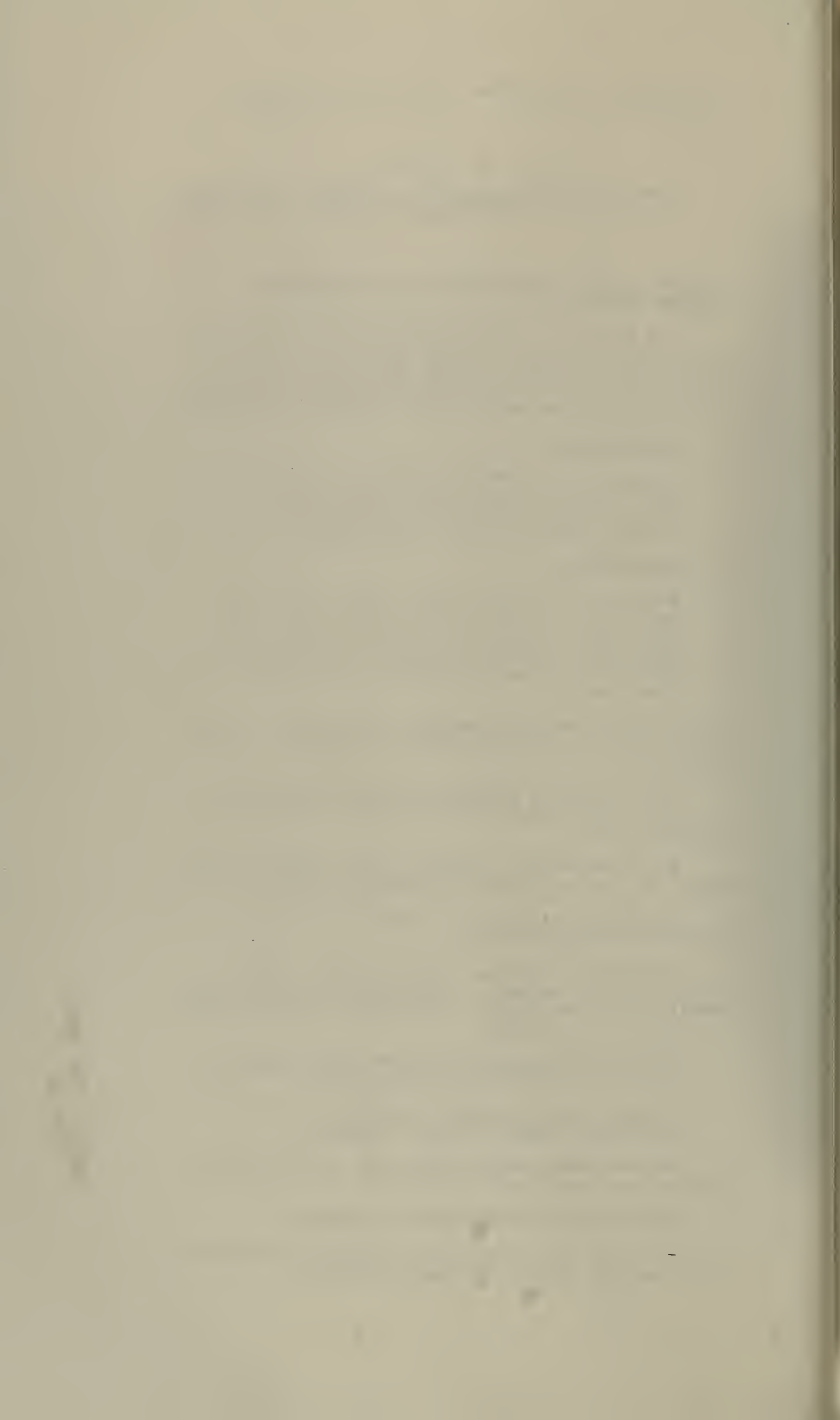
Sergeant Alan Bernardi, Company C  
Lieutenant Michael Connors, Company C

The following named witness was called by the  
Defense, was sworn and testified:

Officer Michael Harrington, Company C

The Commission unanimously accepted the plea of  
guilty made by Officer Michael Harrington.





Based on those findings, the Commission requested a recommendation from the Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Charge No. 1 and Charge No. 2, Officer Michael Harrington be suspended for 90 days, 60 days to be held in abeyance for three years, and enroll in the Alternative to Punishment Program as prescribed in Department General Order D-4.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1217-86

DECISION - HEARING OF POLICE OFFICER MICHAEL HARRINGTON, POTRERO STATION

WHEREAS, on October 15, 1986, Frank M. Jordan, Chief of Police, made and served charges against Officer Michael Harrington as follows:

CHARGE NO. 1

Consuming an alcoholic beverage while on duty and in uniform (violation of Rule III, subsections A and C, of General Order D-4 of the San Francisco Police Department).

- (1) At all times herein mentioned, Michael Harrington, Star Number 868, (hereinafter referred to as "the accused") was and is a police officer employed by the San Francisco Police Department assigned to the Golden Gate Division, Potrero District;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On or about September 21, 1986, at or about 0910 hours, a Sergeant of the San Francisco Police Department assigned to the Potrero District was returning from an assignment to the Potrero Station, he saw the patrol vehicle assigned to the accused parked unattended on 22nd Street West of Third Street;
- (4) The Sergeant queried the computer which indicated that the accused had been on an assignment at another location for 42 minutes, in the past the Sergeant had seen the accused enter or leave a tavern named the Palm Club located near the place the above vehicle was parked;
- (5) The Sergeant entered the tavern and observed the accused in uniform with his back to the Sergeant as he entered the door, playing the pinball machine and talking to a person in civilian clothing;
- (6) The Sergeant observed a half filled glass containing a clear liquid and some ice cubes near the accused's right hand on the pinball machine.



- (7) The Sergeant tapped the accused on the shoulder and asked him to accompany the Sergeant outside; the accused turned toward the Sergeant and the Sergeant detected the accused to have an alcoholic breath, the accused returned to the station with the Sergeant and when confronted, admitted that he was in fact consuming an alcoholic beverage at the time he was observed by the Sergeant in the Palm Club;
- (8) The accused by drinking alcoholic beverages while on duty and in uniform in a public place has engaged in conduct which violates Rule III subsections A and C of General Order D-4 of the San Francisco Police Department, which states:
- "Except as provided by Rule B.1, General Order D-1, a member shall not consume any alcoholic beverage on-duty."
- "A member shall not consume any alcoholic beverage while in uniform, whether on-duty or off-duty"

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (9) Each and every allegation contained in paragraphs (1) through (7), inclusive, of Charge No. 1 above is incorporated herein by reference and is realleged herein as though set forth in full;
- (10) At the time the accused stopped at the Palm Club for a drink and to play the pinball machine, there were two sergeants on the street and six patrol units on the street in the Potrero District;
- (11) The actions of the accused by taking himself out of service significantly reduced the level of available service in the Potrero District, which reduction in services was magnified by the time taken by supervisors to investigate this incident;
- (12) The accused, by consuming alcohol at the Palm Club as alleged while assigned to patrol duties, thereby reducing the patrol force in the district, has engaged in conduct which tends to subvert the good order, efficiency or discipline of the Department and which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:





"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, November 20, 1986, and on Thursday, November 20, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule III, subsections A and C, of General Order D-4 of the San Francisco Police Department, and Charge No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Michael Harrington, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Charge No. 1

[penalty] 45 calendar days suspension,  
30 days to be held in abeyance

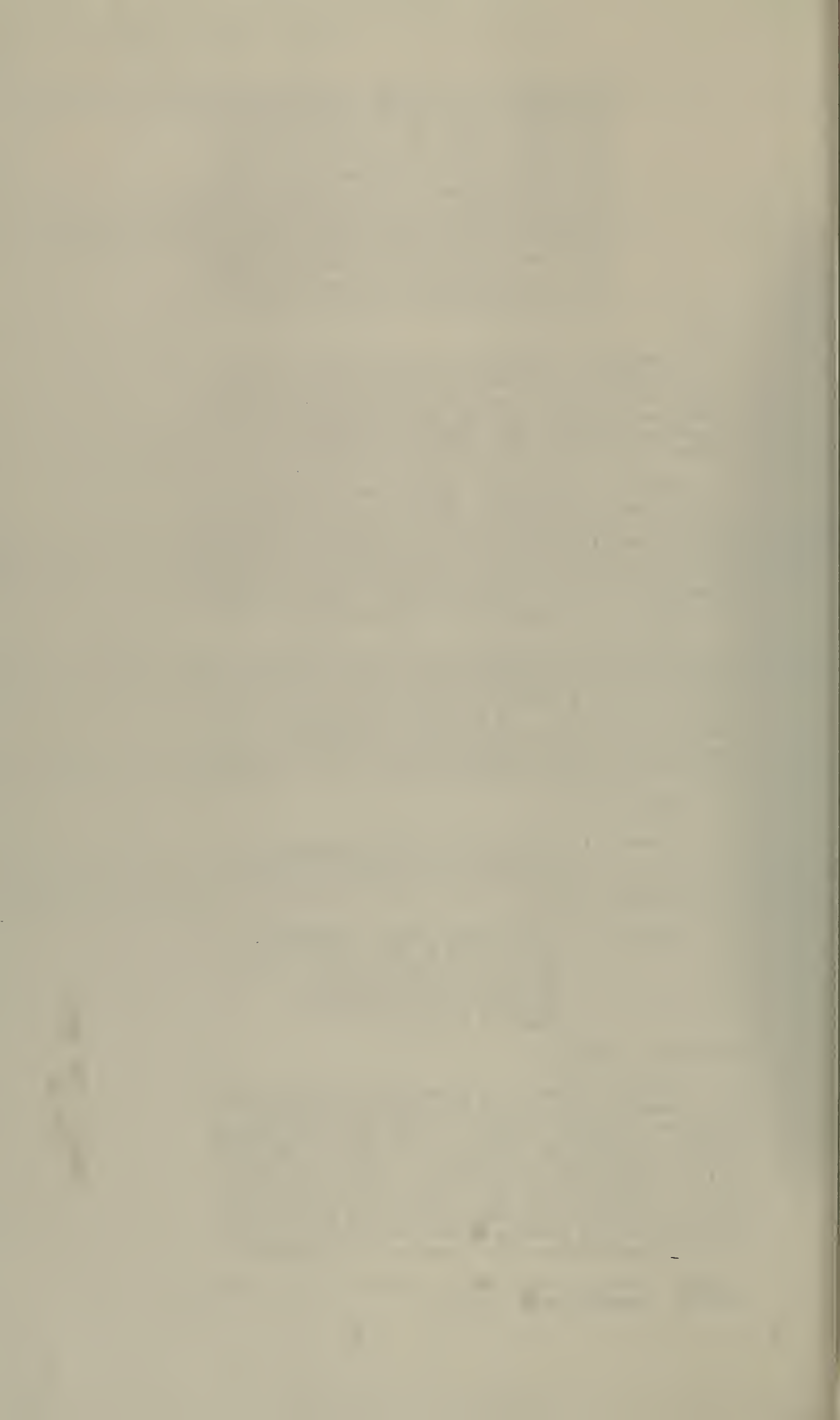
Charge No. 2

[penalty] 45 calendar days suspension,  
30 days to be held in abeyance.  
He is to enroll in the  
Alternative to Punishment  
Program as prescribed in  
General Order D-4

and be it further

RESOLVED, that said suspension totaling thirty (30) calendar days is to be imposed commencing Thursday, January 1, 1987 at 0001 hours and ending Friday, January 30, 1987 at 2400 hours. The thirty (30) calendar days on Charge No. 1 and additional thirty (30) days on Charge No. 2 held in abeyance for a total of sixty (60) calendar days are to be held in abeyance for three years. If any violation relating to the charges occurs during this period, the additional sixty (60) days will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



Recess taken during the hearing of Officer Michael Harrington:

8:25 p.m to 8:28 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

After hearing the above matter it was brought to the Commission's attention in regard to Officer Richard Woo that Officer Woo had been subpoenaing all kinds of written documentation outside of the parameters of his particular case. Mr. Akins, Attorney for the Department, is requesting to quash some of those subpoenas and confine it to witnesses only. Jerry Akins, said that there were 8 subpoenas that Officer Woo prepared and served on people for various dates for which there was no Police Commission meeting scheduled. He said he informed Mr. Woo's counsel, Mr. Murphy that this would be brought before the Commission tonight. The Commission on motion by Commissioner Owens approved the quashing of the said subpoenas and advised Mr. Akins to notify Officer Woo's Counsel to that effect and that Officer Woo's hearing, originally scheduled for December 1, has now been moved to December 4, 1986.

RESOLUTION NO. 1219-86

HEARING OF POLICE OFFICER RICHARD WOO,  
COMMUNICATIONS DIVISION (CONTINUED FROM MEETING OF  
OCTOBER 9, 1986)

WHEREAS, the hearing of Police Officer Richard Woo, Communications Division, scheduled for December 1, 1986 was cancelled; and

WHEREAS, the Police Commission requested the date for the hearing of the disciplinary charges filed against Officer Richard Woo be continued to December 8, 1986; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Richard Woo, Communications Division, is continued to Monday, December 8, 1986 at 9:30 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

The meeting, thereafter, was adjourned at 9:08 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





77 minutes  
SF 245  
12  
1/20/86  
NOVEMBER 20, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 20, 1986 at 1730 hours on a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Owens, Nelder, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 2, 1986

Approval of Minutes of Meeting of October 2, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

No item on Consent Calendar.

DOCUMENTS DEPT.

FEB 18 1987

POLICE COMMISSION REPORT

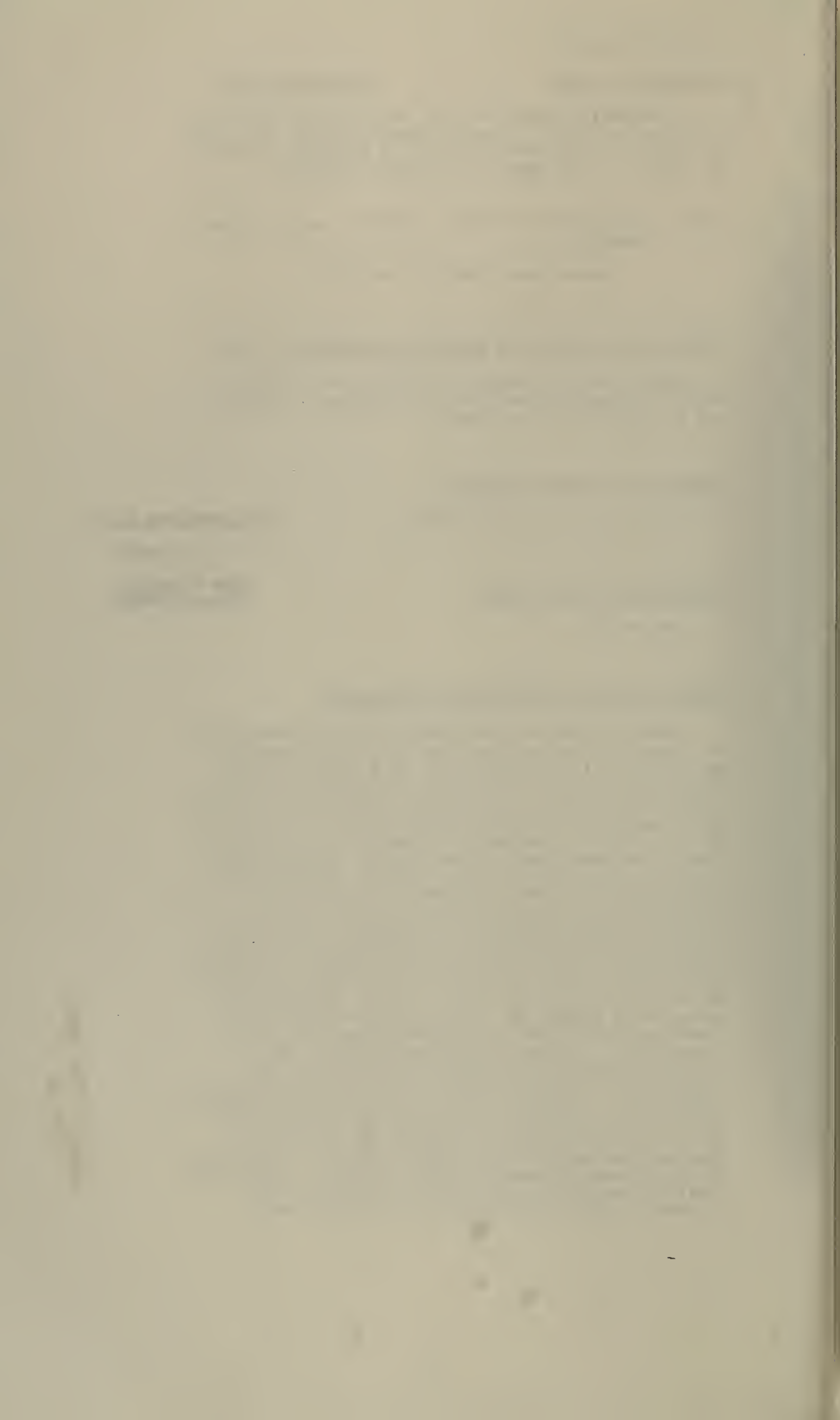
SAN FRANCISCO  
PUBLIC LIBRARY

No report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he would give the Commission an update on the Traffic Plan in the Downtown area. He said the first phase, part of a press release today, is the Truck Yellow Zones in the Downtown Areas specifically in an eighth square block location which would be from Market Street south to Pine then North to battery and West to Kearny. He said the idea is to have enough turnovers in the parking of trucks so that there isn't a number of them double parking and blocking corridors. He said the Department will use parking controller discretion to determine whether there is any kind of activity around the truck where this unloading or loading is taking place. More time will be allowed to have the vehicle's property removed from the truck or placed on the truck. He said this is only one phase and there are a number of other areas the Department is concerned with since the Holiday Season is fast approaching. He said the Department now has 15 parking controllers scheduled to start in the downtown area to also enforce the double parking regulations. Some he said, will be at intersections to keep the gridlock from occurring. He said 18 police officers will be assigned the day after Thanksgiving and for the entire month of December at 18 key strategic intersections in order to keep the traffic flowing both at arteries that go on to freeways as well as places around Union Square.





PROPOSED AMENDMENTS TO THE OFFICE OF CITIZEN  
COMPLAINTS INVESTIGATIVE HEARING RULES

Commissioner Sanchez said this item was held over from a previous meeting so as to allow for additional input and discussion pertaining to the proposed amendments. He said it should also be noted that the Commission received, as of about an hour ago, some more materials pertaining to this item, both from the ACLU and the POA. He then invited others, who were interested to speak on the subject. The following speakers were: Mr. Frank Schober, Director, Office of Citizens Complaints, Mr. David Clisham, Atty. for the SFPOA, Mr. Tom Owens, Deputy City Attorney and Mr. John Crew, Atty. for the ACLU. After listening to arguments from all of the above named speakers the Commission adopted the following resolution:

RESOLUTION NO. 1220-86

WHEREAS, the Police Commission discussion and possible decision on the proposed amendments to the Office of Citizen Complaints Investigative Hearing Rules was called it having been continued from the meeting of October 30, 1986; and

WHEREAS, testimony was heard from Mr. Frank Schober, Director, Office of Citizen Complaints; Mr. John Crew, American Civil Liberties Union; Deputy City Attorney Tom Owens, and Mr. Dave Clisham, Attorney for Police Officers' Association, and

WHEREAS, the Commission, having listened to the above parties, found no reason to disapprove the proposed amendments to the Office of Citizen Complaints Investigative Hearing Rules; therefore be it

RESOLVED, that the Police Commission hereby approves the proposed amendments to the Office of City Complaints Investigative Hearing Rules.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

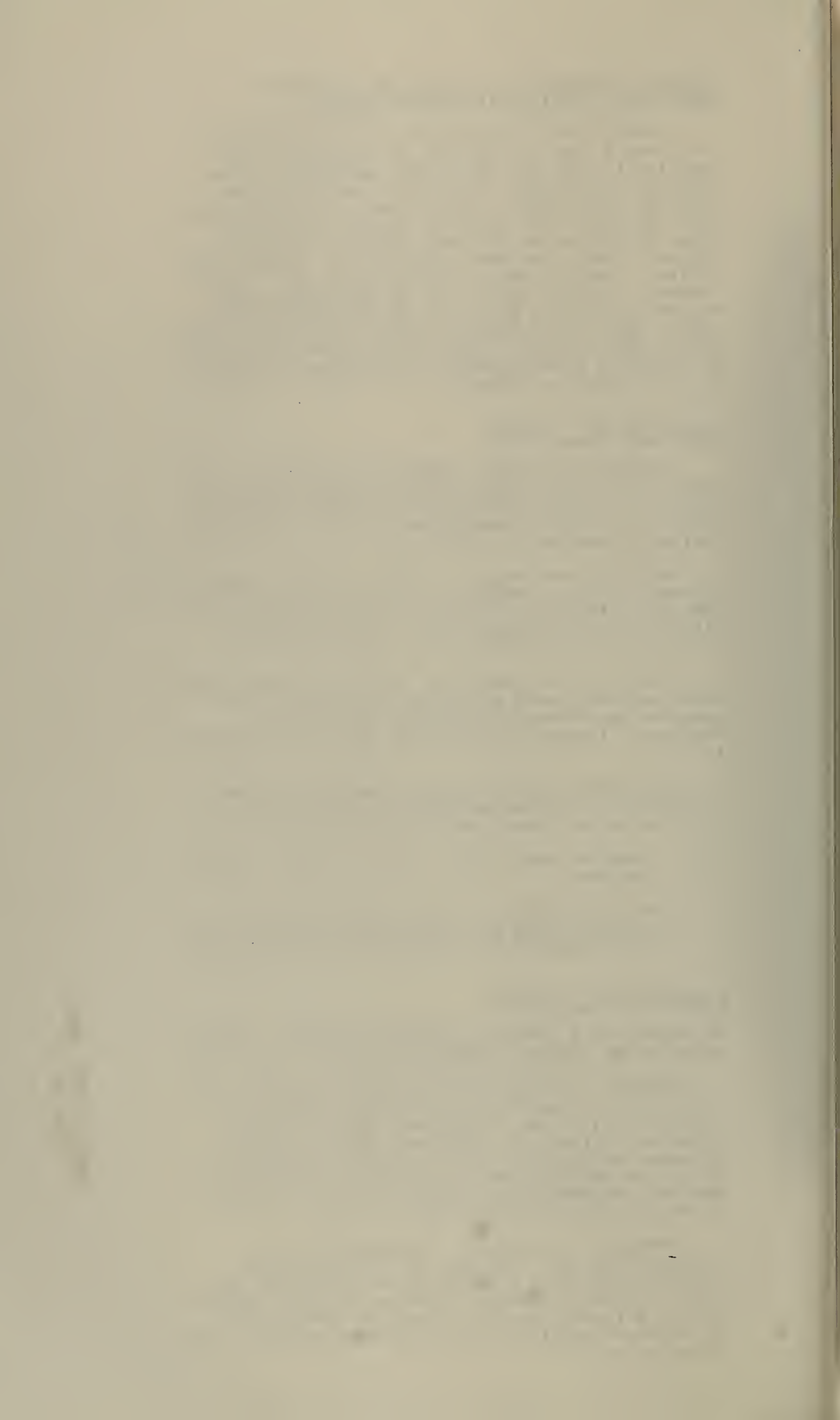
(The entire text of this item was taken in shorthand form by Linda Pransky, CSR and is on file in the Office of the Police Commission.)

RESOLUTION NO. 1216-86

ACCEPTANCE OF A GIFT OF A TDD DEAF TELEPHONE FROM AN  
ORGANIZATION CALLED "TELEPHONE PIONEERS"

WHEREAS, a non-profit organization made up of active and retired Pacific Telephone Company engineers called the "Telephone Pioneers" has generously gifted this Department with a TDD Deaf Telephone which has a retail value of between \$175.00 and \$250.00 which enables deaf and speech impaired individuals to communicate using standard telephone lines and equipment, and

WHEREAS, the George S. Ladd Chapter of Telephone Pioneers, through their Chairman, Mr. Louis Maracci, have provided us with a mechanism which will readily permit hands-on training without risk to effective deaf-call handling and improved our service capability to the hearing impaired; now therefore be it



RESOLVED, that the Police Commission hereby approves the acceptance of a gift of a TDD Deaf Telephone from the Telephone Pioneers to the Police Department.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RECOMMENDATION OF THE CHIEF THAT THE POLICE COMMISSION REVOKE LIMOUSINE PERMIT #1-18 AND MOTORIZED RICKSHAW PERMITS MR-1, MR-2 AND MR-3 HELD BY EDMUND JUNG AND DENIAL OF HIS SUSPENSION OF OPERATION REQUEST

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Lt. Greg Winters said that for a variety of reasons including staff changes within the City Attorney's Office, the City Attorney's Opinion, requested by the Commission, is not yet ready and will not be ready for probably another 4 weeks. He said he would request, because of the above stated reasons, that the Commission continue it to January 8 1987. Mr. John Prentice, Mr. Jung's Attorney, said he would have no objection to that continuance. Commissioner Nelder said he would move that it be continued to January 8, 1987. It was seconded by Commissioner Davis and unanimously approved.

RESOLUTION NO. 1221-86

WHEREAS, the date for the hearing on the recommendation of the Chief of Police that the Police Commission revoke Limousine Permit #1-18 and Motorized Rickshaw Permits MR-1, MR-2 and MR-3 held by Mr. Edmund Jung and denial of his suspension of operation request, was called it having been continued from the meeting of October 9, 1986, and

WHEREAS, it was requested by Mr. Eugene B. Elliot, Deputy City Attorney, that the date for the hearing on the revocation of Limousine Permit #1-18 and Motorized Rickshaw Permits MR-1, MR-2 and MR-3 held by Mr. Edmund Jung and his request for suspension of operation, be continued to January 8, 1987; therefore be it

RESOLVED, that the date for the hearing on the revocation of permits held by Mr. Edmund Jung and his request for suspension of operation be set for Thursday, January 8, 1987 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RE-HEARING ON THE PETITION OF VETERANS TAXICAB CO. vs. SPECK TAXICAB CO.

Commissioner Sanchez opened this issue by saying that the Commission has been receiving a great amount of materials from all attorneys involved in this issue and just to refresh the Commission's memory in this matter he verbally reviewed the events of the issue that occurred in 1981.





He thereafter called upon Mr. Gene Elliott, Deputy City Attorney to give a detail account of the facts of the case. Statements were then made by Mr. David Cincotta, Atty. for Speck Cab Co., Lt. Greg Winters, Officer in Charge of the Permit Section, Mr. Richard Lygutis, former Attorney for PAPA and Mr. Lawrence Ball. Other speakers were Mr. Al Hall, Cab Driver, Mr. Larry Russell, Cab Driver, Mr. Arthur Lempke, Cab Driver Owner and Mr. Jack Trag, Cab Driver Owner. Commissioner Giraudo said his concern is the parties to this issue are submitting materials at the last moment for the Commission to read and digest. He said he would make a motion that if there are any more materials to be submitted that they be submitted by the following week and that would be the cut off time for submission of materials on this issue. Commissioner Sanchez said that the date of November 26th, 1986 would be the closure for submission of all documents pertaining to this matter. Commissioner Nelder said he would move that each party involved in this matter shall submit any material to each other by November 26th and this matter shall be continued for a Hearing and decision on January 29th. Commissioner Owens seconded and it was unanimously approved and continued to Thursday, January 29th, 1987.

(The entire context of this matter was recored in shorthand form by Linda Pransky, CSR and is on file in the Office of the Police Commission.)

The re-hearing on the petition of Veterans Taxicab Company vs. Speck Taxicab Company was called it having been continued from the meeting of October 16, 1986.

The following Attorneys appeared in person:

Lawrence Ball, Attorney at Law, representing  
Permit Applicant's Protective Association  
(P.A.P.A.)  
David Cincotta, Attorney at Law, representing  
Speck Cab Co.  
Wayne Canterbury, Attorney at Law, representing  
Veterans Cab Co.  
Gene Elliott, City Attorney's Office  
Lt. Gregory Winters, Permit Section,  
San Francisco Police Department

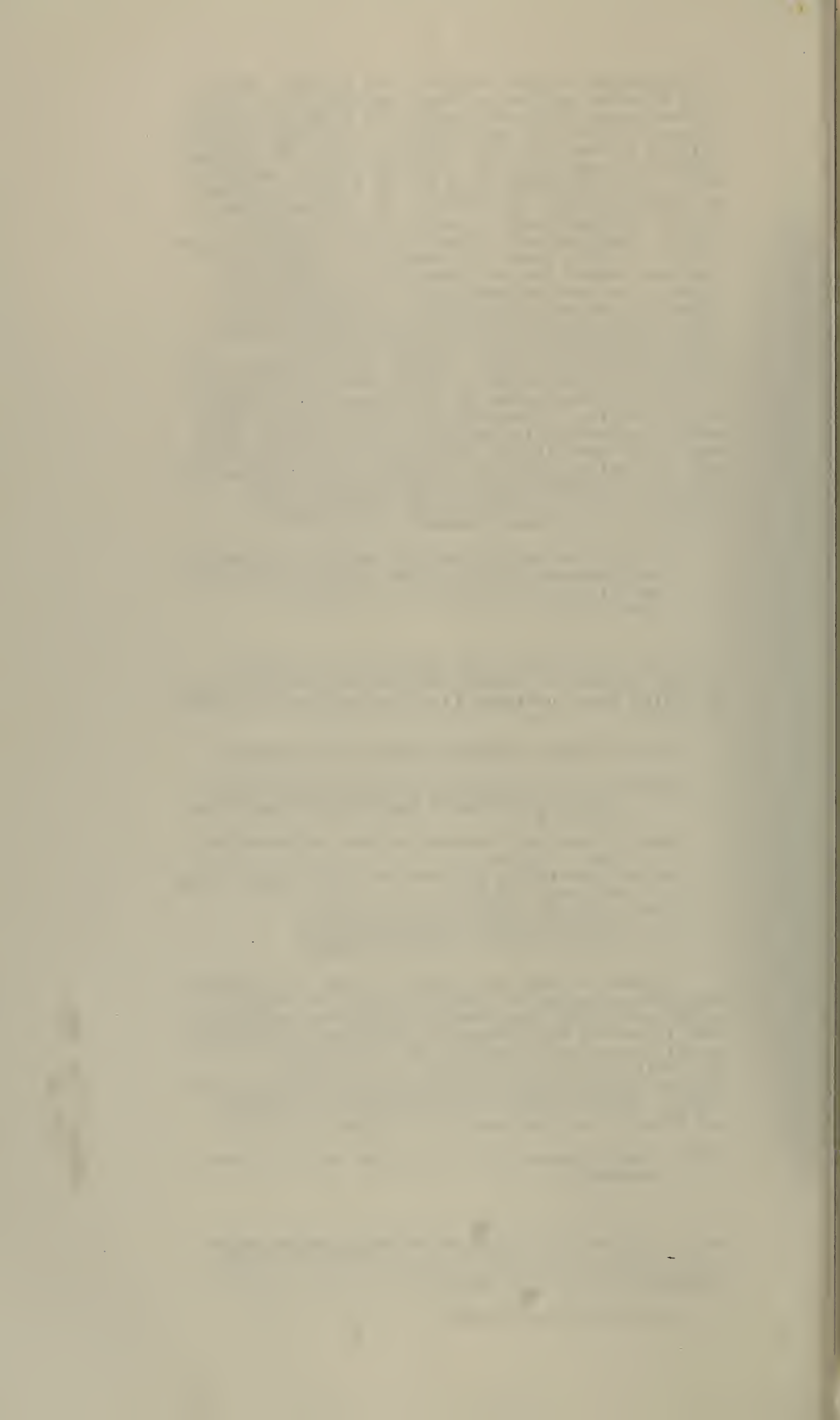
Because of the last minute receipt of pertinent materials relating to assets of Speck vs. Veterans in the year 1979, the Commissioners, not having the time to review the documents, continued the hearing on this issue until January 29, 1987 in order for the petitioners and respondents to prepare documentation for Commission perusal by November 26, 1986 to thereby enable the Commissioners to study and prepare for the hearing of January 29, 1987.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
B-1, "PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS  
STANDARDS"

---

Continued in two weeks.



At this time the matter of Inspector Tom Mazzucco, although not on calendar, was called for setting of a date to hear it when all 5 Commissioners are present. After checking their schedules, the Commission set the date to hear the Disciplinary Charges against Inspector Tom Mazzucco for Thursday, February 5, 1987. (Same resolution was adopted as of November 13, 1986.)

HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

The hearing of the disciplinary charges filed against Police Officer Stephen M. Tittel, Park Station, was called it having been set for this date. Police Officer Stephen M. Tittel was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by John J. Jordan, Acting Chief of Police of the San Francisco Police Department.

Police Officer Stephen M. Tittel appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. John Prentice for the Defense. Attorney John Prentice, on behalf of Officer Stephen M. Tittel, entered a plea of guilty to the charges.

The following named witness was called by the Prosecution, was sworn and testified:

Sergeant Alan Bernardi, Company C

The following named witness was called by the Defense, was sworn and testified:

Officer Stephen M. Tittel, Company F

The following exhibit was entered into evidence by the Defense:

Exhibit A Letter from Gene Duffy, Jr., Vice President,  
"Duffy's" - Myrtledale, dated  
09/11/86





The Commission unanimously accepted the plea of guilty to the charges made by Officer Stephen M. Tittel.

Based on those findings, the Commission requested a recommendation from the Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Specification No. 1, Officer Stephen M. Tittel be suspended for 60 days, 30 days to be held in abeyance for two years, provided he enroll in an Alcoholics Anonymous type program, and for Specification No. 2, he is to be suspended for 30 days, 15 days to be held in abeyance for two years. He is to serve a total suspension of 45 calendar days to be served consecutively.

Mr. John Prentice responded to the Chief's recommendation, giving mitigating circumstances.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1218-86

DECISION - HEARING OF POLICE OFFICER STEPHEN M. TITTEL, PARK STATION

WHEREAS, on August 14, 1986, John J. Jordan, Acting Chief of Police, made and served charges against Officer Stephen M. Tittel as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

- (1) At all times herein mentioned, Stephen M. Tittel, Star No. 2104, was and is a police officer employed by the San Francisco Police Department and assigned to the Metropolitan Division, Park District;
- (2) As a police officer, Officer Tittel (hereinafter "the accused") was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (2) On or about May 16, 1986 at approximately 0447 hours after about a seven block freeway vehicle pursuit, Officers Manolete Ortega, Star No. 1348, Clodagh Coles, Star No. 712, and Sergeant Allen Bernardi, Star No. 2008, of the San Francisco Police Department, made a traffic stop of a vehicle driven by the accused as he was exiting Highway 280 via the 25th Street off-ramp.
- (4) Sergeant Bernardi recognized the accused as an off-duty police officer and observed that the accused had a very flushed face, bloodshot, watery eyes and had a heavy alcoholic breath. The accused was also unsteady on his feet and his speech was thick and slurred;





- (5) The accused was arrested by Sergeant Bernardi for driving under the influence of alcohol and transferred to Company K. While at Company K, the accused was given a coordination test, which he failed;
- (6) A member of the California Highway Patrol administered an Intoxilyzer test which indicated that the accused's blood contained .20% alcohol by weight;
- (7) California Vehicle Code Section 23152(a) makes it a misdemeanor to operate a motor vehicle on the public roads of the State of California while under the influence of alcohol and California Vehicle Code Section 23152(b) makes it a misdemeanor to operate a motor vehicle on the public roads of the State of California with more than .10% blood alcohol by weight;
- (8) By failing to stop and causing officers of the San Francisco Police Department to engage in a seven block freeway vehicle pursuit and by driving a motor vehicle on the public roads of the State of California in a condition which would constitute a violation of Vehicle Code Sec. 23152(a) and (b), the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

#### SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

- (9) Each and every allegation contained in paragraphs (1) through (8) of Specification No. 1 are hereby incorporated by reference as though fully set forth herein;
- (10) On or about May 16, 1986 at approximately 0447 hours, when the accused exited his vehicle, he had a loaded firearm in his right rear pocket. The accused also had a loaded firearm in his vehicle;



(11) The accused, by failing to maintain himself in fit condition to perform police duties while off-duty and carrying a firearm, has engaged in conduct which constitutes a violation of Rule A-3 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, November 20, 1986, and on Thursday, November 20, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, and Specification No. 2, violation of Rule A-3 of General Order D-1 of the San Francisco Police Department, as preferred by the Acting Chief of Police against Police Officer Stephen M. Tittel, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1

[penalty] 60 calendar days suspension, 30 days to be held in abeyance for two years, providing he enroll in the Alcoholics Anonymous Program.

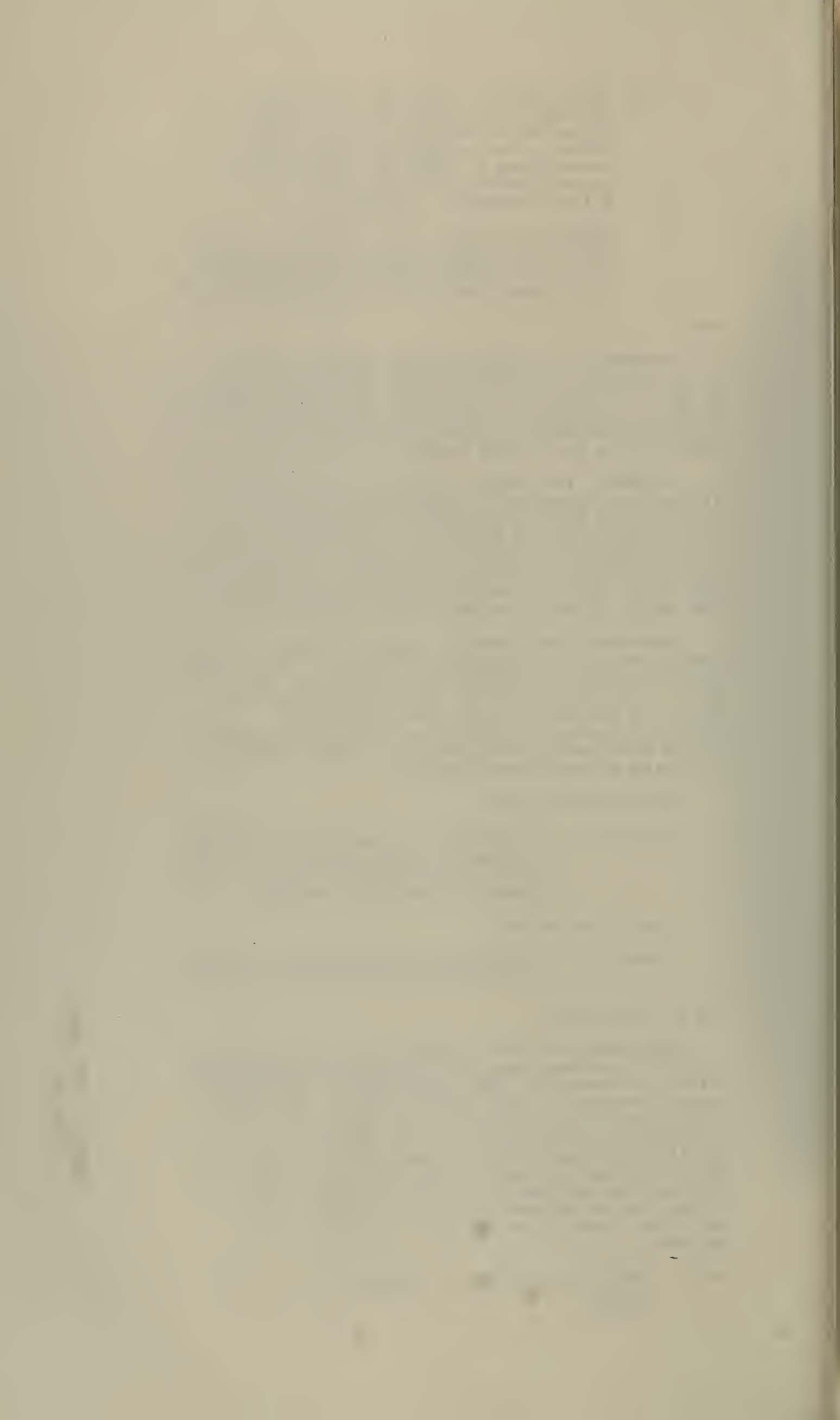
Specification No. 2

[penalty] 30 calendar days suspension, 15 days to be held in abeyance for two years

and be it further

RESOLVED, that said suspension totaling forty five (45) calendar days is to be imposed commencing Friday, November 21, 1986 at 0001 hours and ending Sunday, January 4, 1987 at 2400 hours. The thirty (30) calendar days suspension on Specification No. 1 and additional fifteen (15) calendar days on Specification No. 2 held in abeyance for a total of forty five (45) calendar days are to be held in abeyance for two years. If any violation relating to the charges occurs during this period, the additional forty five (45) days suspension will be imposed.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez





Recess taken during the hearing of Officer  
Stephen M.  
Tittel:

7:52 p.m. to 7:55 p.m.

(The entire proceedings were taken in shorthand  
form by Ms. Linda Pransky, CSR.)

HEARING OF POLICE OFFICER MICHAEL HARRINGTON,  
POTRERO STATION

The hearing of the disciplinary charges filed  
against Police Officer Michael Harrington, Potrero  
Station, was called it having been set for this  
date. Police Officer Michael Harrington was charged  
with violating the Rules and Procedures as follows:

CHARGE NO. 1

Consuming an alcoholic beverage while on duty  
and in uniform (violation of Rule III,  
subsections A and C, of General Order D-4 of  
the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good  
order, efficiency or discipline of the  
Department and which brings discredit on the  
Department (violation of Rule A-9 of General  
Order D-1 of the San Francisco Police  
Department).

in a properly verified complaint by Frank M. Jordan,  
Chief of Police of the San Francisco Police  
Department.

Police Officer Michael Harrington appeared in  
person and was represented by Mr. Lance Russell,  
Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on  
behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry  
Akins for the Prosecution.

An opening statement was made by Mr. Lance  
Russell for the Defense. Attorney Lance Russell, on  
behalf of Officer Michael Harrington, entered a plea  
of guilty to the charges.

The following named witnesses were called by  
the Prosecution, were sworn and testified:

Sergeant Alan Bernardi, Company C  
Lieutenant Michael Connors, Company C

The following named witness was called by the  
Defense, was sworn and testified:

Officer Michael Harrington, Company C

The Commission unanimously accepted the plea of  
guilty made by Officer Michael Harrington.



Based on those findings, the Commission requested a recommendation from the Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Charge No. 1 and Charge No. 2, Officer Michael Harrington be suspended for 90 days, 60 days to be held in abeyance for three years, and enroll in the Alternative to Punishment Program as prescribed in Department General Order D-4.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1217-86

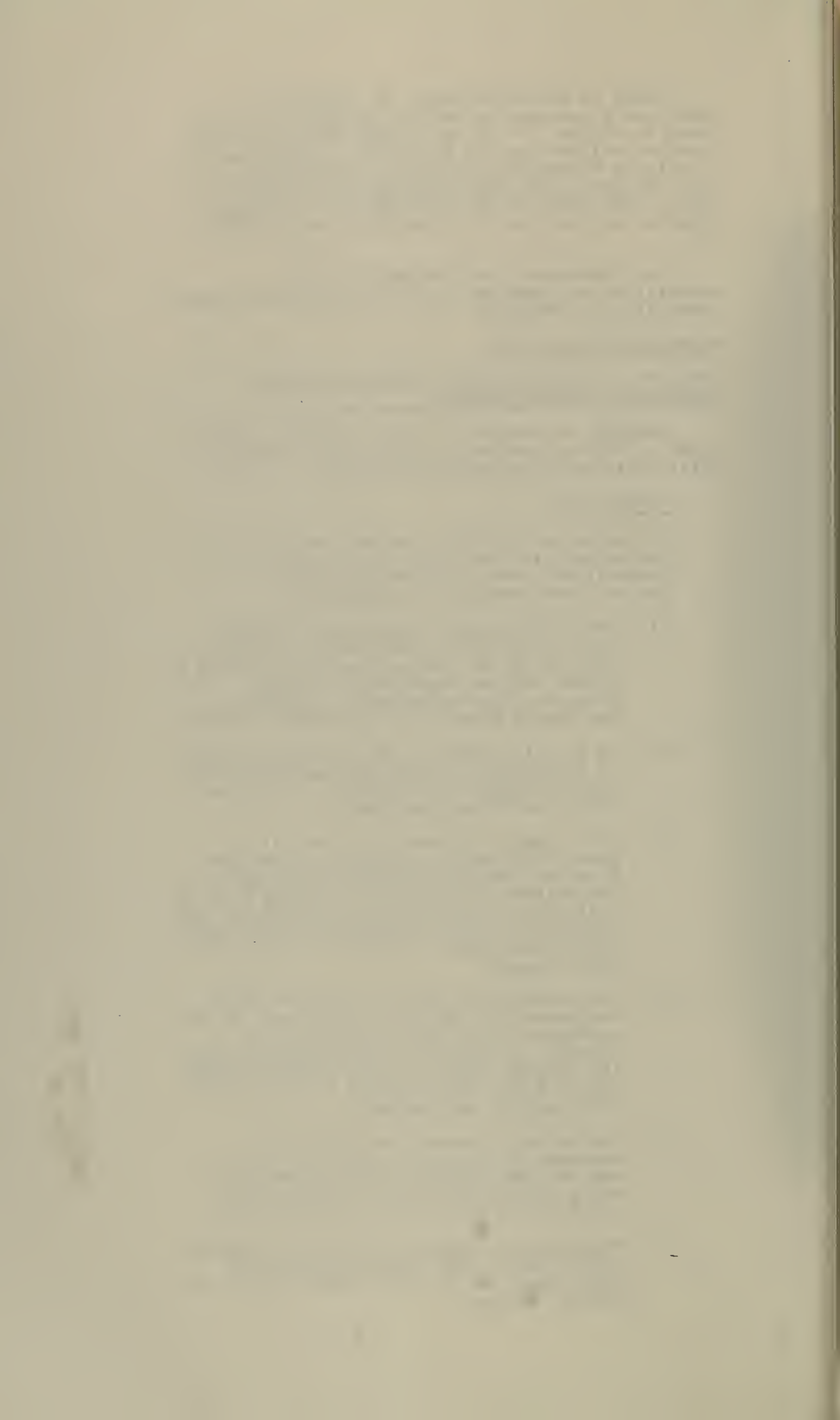
DECISION - HEARING OF POLICE OFFICER MICHAEL HARRINGTON, POTRERO STATION

WHEREAS, on October 15, 1986, Frank M. Jordan, Chief of Police, made and served charges against Officer Michael Harrington as follows:

CHARGE NO. 1

Consuming an alcoholic beverage while on duty and in uniform (violation of Rule III, subsections A and C, of General Order D-4 of the San Francisco Police Department).

- (1) At all times herein mentioned, Michael Harrington, Star Number 868, (hereinafter referred to as "the accused") was and is a police officer employed by the San Francisco Police Department assigned to the Golden Gate Division, Potrero District;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On or about September 21, 1986, at or about 0910 hours, a Sergeant of the San Francisco Police Department assigned to the Potrero District was returning from an assignment to the Potrero Station, he saw the patrol vehicle assigned to the accused parked unattended on 22nd Street West of Third Street;
- (4) The Sergeant queried the computer which indicated that the accused had been on an assignment at another location for 42 minutes, in the past the Sergeant had seen the accused enter or leave a tavern named the Palm Club located near the place the above vehicle was parked;
- (5) The Sergeant entered the tavern and observed the accused in uniform with his back to the Sergeant as he entered the door, playing the pinball machine and talking to a person in civilian clothing;
- (6) The Sergeant observed a half filled glass containing a clear liquid and some ice cubes near the accused's right hand on the pinball machine.





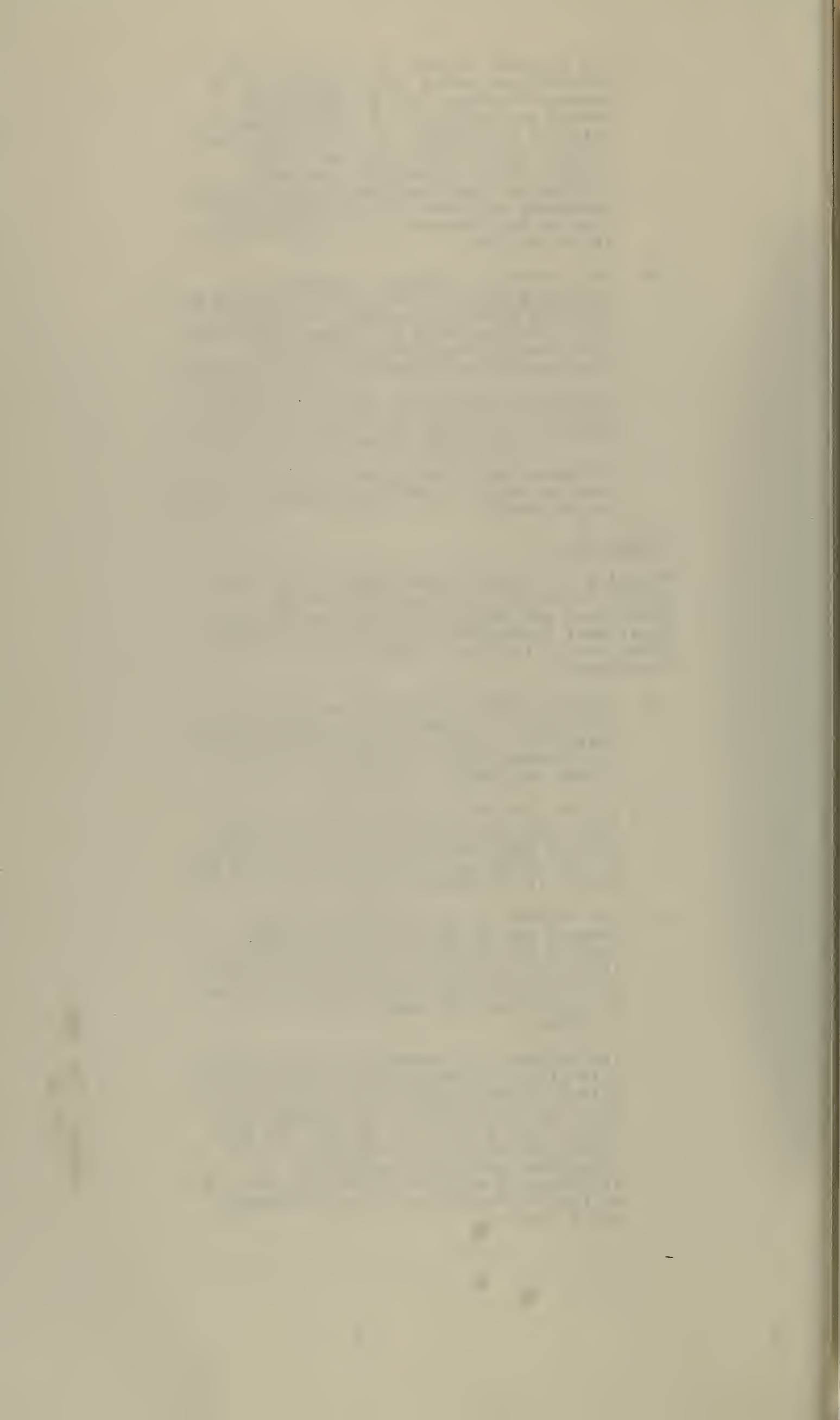
- (7) The Sergeant tapped the accused on the shoulder and asked him to accompany the Sergeant outside, the accused turned toward the Sergeant and the Sergeant detected the accused to have an alcoholic breath, the accused returned to the station with the Sergeant and when confronted, admitted that he was in fact consuming an alcoholic beverage at the time he was observed by the Sergeant in the Palm Club;
- (8) The accused by drinking alcoholic beverages while on duty and in uniform in a public place has engaged in conduct which violates Rule III subsections A and C of General Order D-4 of the San Francisco Police Department, which states:
- "Except as provided by Rule B.1, General Order D-1, a member shall not consume any alcoholic beverage on-duty."
- "A member shall not consume any alcoholic beverage while in uniform, whether on-duty or off-duty"

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (9) Each and every allegation contained in paragraphs (1) through (7), inclusive, of Charge No. 1 above is incorporated herein by reference and is realleged herein as though set forth in full;
- (10) At the time the accused stopped at the Palm Club for a drink and to play the pinball machine, there were two sergeants on the street and six patrol units on the street in the Potrero District;
- (11) The actions of the accused by taking himself out of service significantly reduced the level of available service in the Potrero District, which reduction in services was magnified by the time taken by supervisors to investigate this incident;
- (12) The accused, by consuming alcohol at the Palm Club as alleged while assigned to patrol duties, thereby reducing the patrol force in the district, has engaged in conduct which tends to subvert the good order, efficiency or discipline of the Department and which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:





"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, November 20, 1986, and on Thursday, November 20, 1986, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule III, subsections A and C, of General Order D-4 of the San Francisco Police Department, and Charge No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Michael Harrington, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Charge No. 1

[penalty] 45 calendar days suspension,  
30 days to be held in abeyance

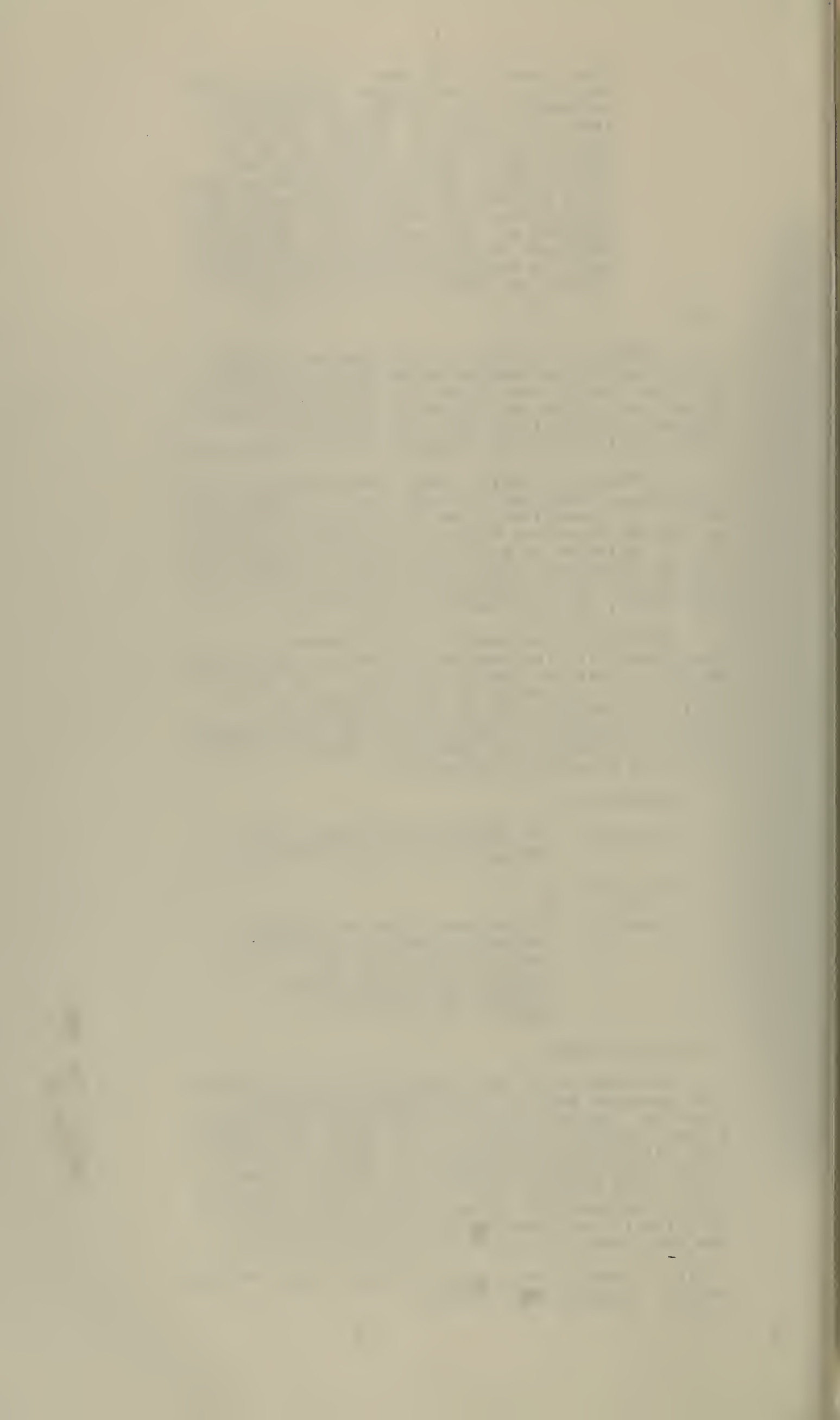
Charge No. 2

[penalty] 45 calendar days suspension,  
30 days to be held in abeyance.  
He is to enroll in the  
Alternative to Punishment  
Program as prescribed in  
General Order D-4

and be it further

RESOLVED, that said suspension totaling thirty (30) calendar days is to be imposed commencing Thursday, January 1, 1987 at 0001 hours and ending Friday, January 30, 1987 at 2400 hours. The thirty (30) calendar days on Charge No. 1 and additional thirty (30) days on Charge No. 2 held in abeyance for a total of sixty (60) calendar days are to be held in abeyance for three years. If any violation relating to the charges occurs during this period, the additional sixty (60) days will be imposed.

AYES: Commissioners Davis, Nelder, Owens, Sanchez  
ABSENT: Commissioner Giraudo



Recess taken during the hearing of Officer Michael Harrington:

8:25 p.m to 8:28 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

After hearing the above matter it was brought to the Commission's attention in regard to Officer Richard Woo that Officer Woo had been subpoenaing all kinds of written documentation outside of the parameters of his particular case. Mr. Akins, Attorney for the Department, is requesting to quash some of those subpoenas and confine it to witnesses only. Jerry Akins, said that there were 8 subpoenas that Officer Woo prepared and served on people for various dates for which there was no Police Commission meeting scheduled. He said he informed Mr. Woo's counsel, Mr. Murphy that this would be brought before the Commission tonight. The Commission on motion by Commissioner Owens approved the quashing of the said subpoenas and advised Mr. Akins to notify Officer Woo's Counsel to that effect and that Officer Woo's hearing, originally scheduled for December 1, has now been moved to December 4, 1986.

RESOLUTION NO. 1219-86

HEARING OF POLICE OFFICER RICHARD WOO,  
COMMUNICATIONS DIVISION (CONTINUED FROM MEETING OF  
OCTOBER 9, 1986)

WHEREAS, the hearing of Police Officer Richard Woo, Communications Division, scheduled for December 1, 1986 was cancelled; and

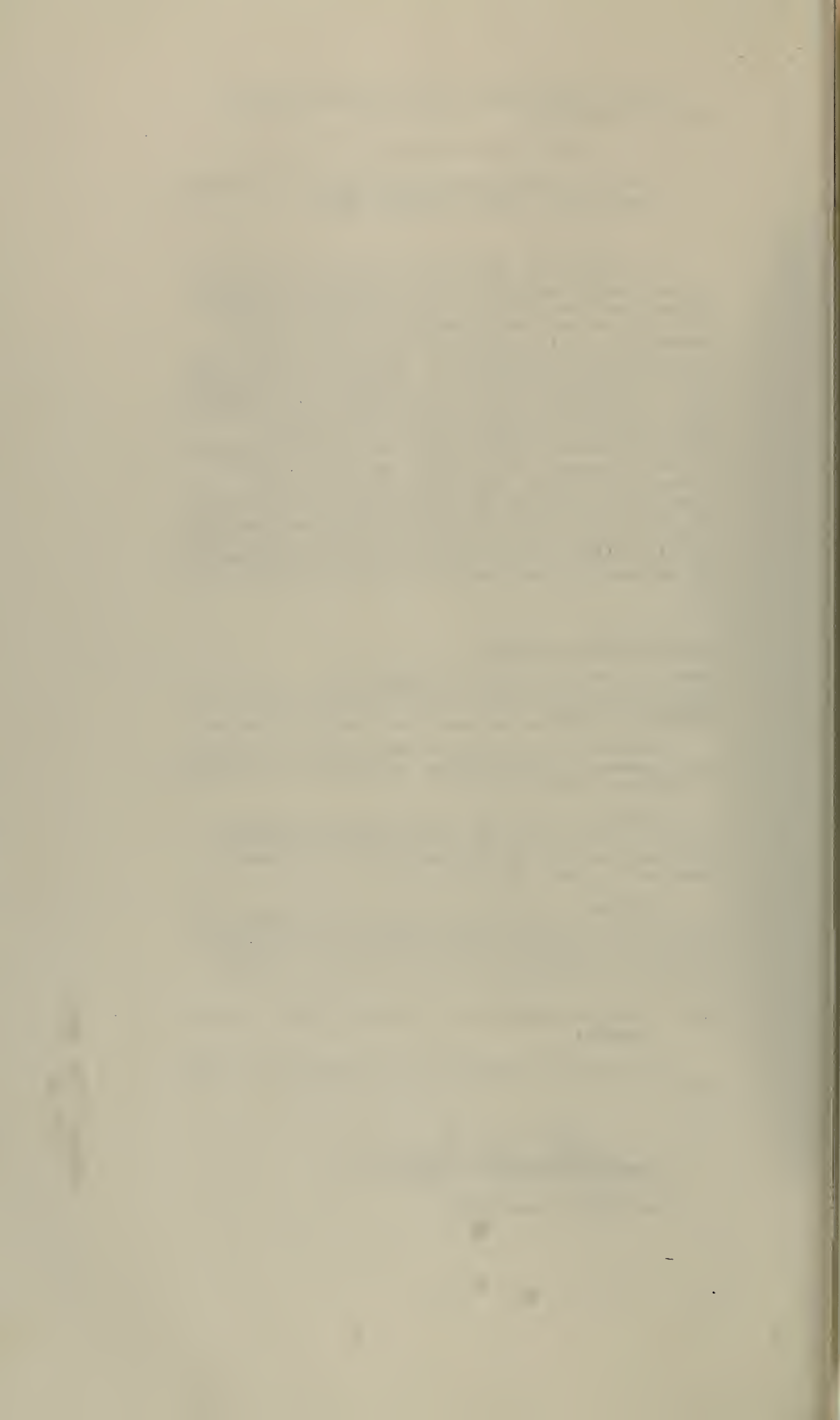
WHEREAS, the Police Commission requested the date for the hearing of the disciplinary charges filed against Officer Richard Woo be continued to December 8, 1986; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Richard Woo, Communications Division, is continued to Monday, December 8, 1986 at 9:30 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

The meeting, thereafter, was adjourned at 9:08 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





*Minutes*  
DECEMBER 4, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 4, 1986 at 1700 hours in a Special meeting.

1. Attorney-Client Conference.

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

Commissioner Nelder presiding.

DECEMBER 4, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 4, 1986 at 1730 hours in a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

Commissioner Nelder presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 9, 1986

Approval of Minutes of Meeting of October 9, 1986, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City & County of San Francisco:

RESOLUTION NO. 1225-86

C. TORRES, et al., vs. CITY AND COUNTY OF SAN FRANCISCO et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of C. Torres in U.S. District Court No. C85-8051 WHO in the sum of \$35,000.00 entitled "C. Torres, et al., vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: August 31, 1984

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

DOCUMENTS DEPT.

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RESOLUTION NO. 1226-86

KEVIN SIEGENTHALER vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Kevin Siegenthaler in Superior Court No. 786-093 in the sum of \$27,500.00 entitled "Kevin Siegenthaler vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: July 27, 1981

AYES: Commissioner Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1227-86

LISA ZHAO, A MINOR, BY HER GUARDIAN AD LITEM, TING JUN ZHAO vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Lisa Zhao, a minor, by her guardian ad litem, Ting Jun Zhao in Superior Court No. 850-049 in the sum of \$9,500.00 entitled "Lisa Zhao, a minor, by her Guardian ad Litem, Ting Jun Zhao vs. City and County of San Francisco, Patrick G. Yick, and Does 1 to 25, inclusive" for damages sustained, be, and the same is hereby approved.

Date of Incident: June 17, 1985

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1228-86

DAVEY WHITE vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Davey White in Superior Court No. 831-415 in the sum of \$9,000.00 entitled "Davey White vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: July 12, 1984

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

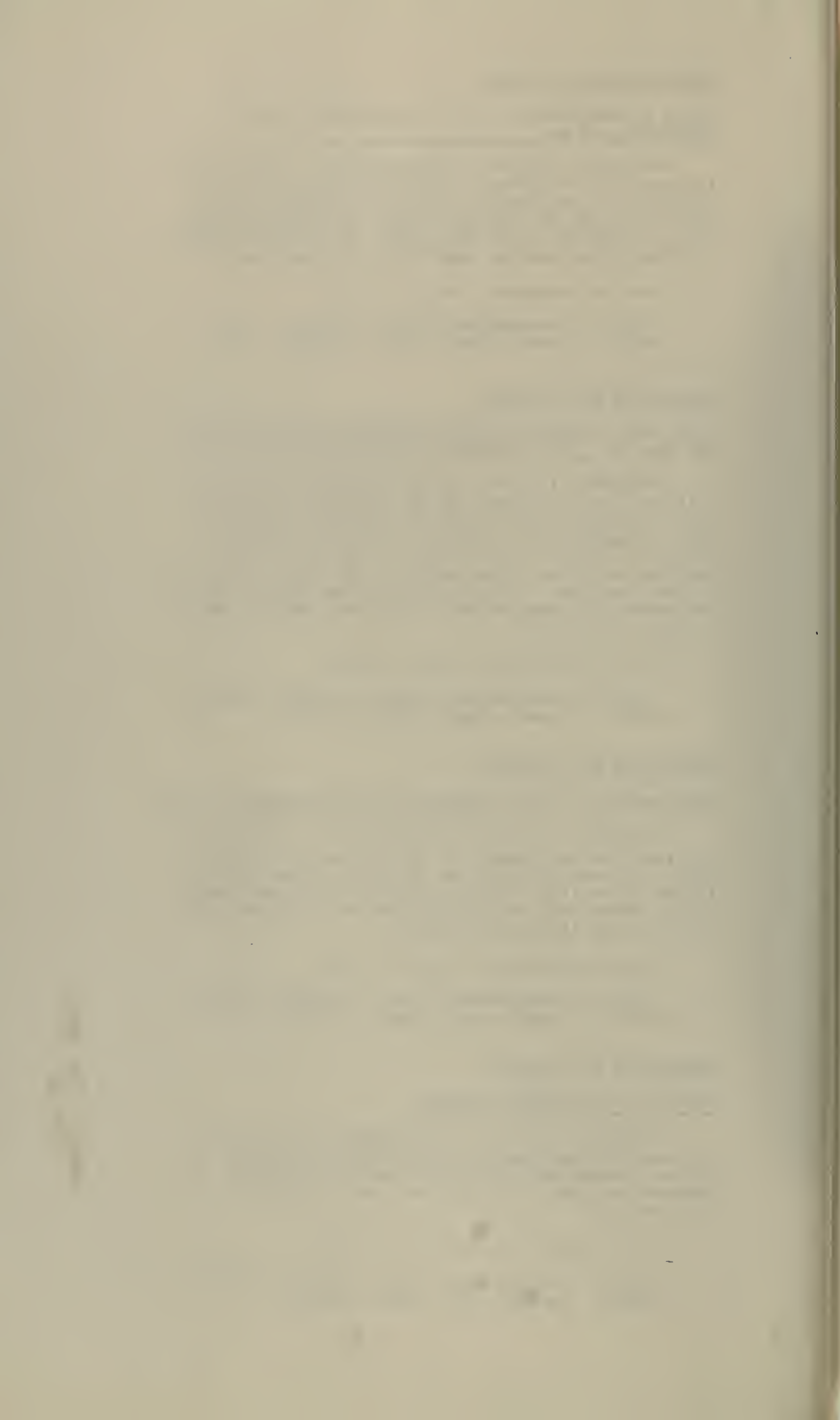
RESOLUTION NO. 1229-86

UNITED STATES CUSTOMS SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of United States Customs Service in the sum of \$3,111.39 for damages sustained, be, and the same is hereby approved.

Date of Incident: July 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1230-86

WILLIAM J. GESTRICH, JR. vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of William J. Gestrich, Jr. in Superior Court No. 832-363 in the sum of \$3,000.00 entitled "William J. Gestrich, Jr. vs. City and County of San Francisco, Eric Neff and DOES 1 through 10, inclusive" for damages sustained, be, and the same is hereby approved.

Date of Incident: April 25, 1984

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1231-86

JONATHAN CRAYTON vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Jonathan Crayton in U.S. District Court No. C-86-2764 WHO in the sum of \$750.00 entitled "Jonathan Crayton vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: September 18, 1985

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1232-86

MICHAEL JOE BOSWELL vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Michael Joe Boswell in Superior Court No. 827-348 in the sum of \$500.00 entitled "Michael Joe Boswell vs. City and County of San Francisco, et al" for damages sustained, be, and the same is hereby approved.

Date of Incident: November 17, 1983

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1235-86

HOLLY WALKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Holly Walker in the sum of \$145.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 21, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1236-86

ANGELA PERRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Angela Perry in the sum of \$133.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1237-86

ELIZABETH HOOGLAND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Hoogland in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1238-86

SAUL HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Saul Hernandez in the sum of \$99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1239-86

THOMAS J. COUNTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas J. Counts in the sum of \$94.65 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 18, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

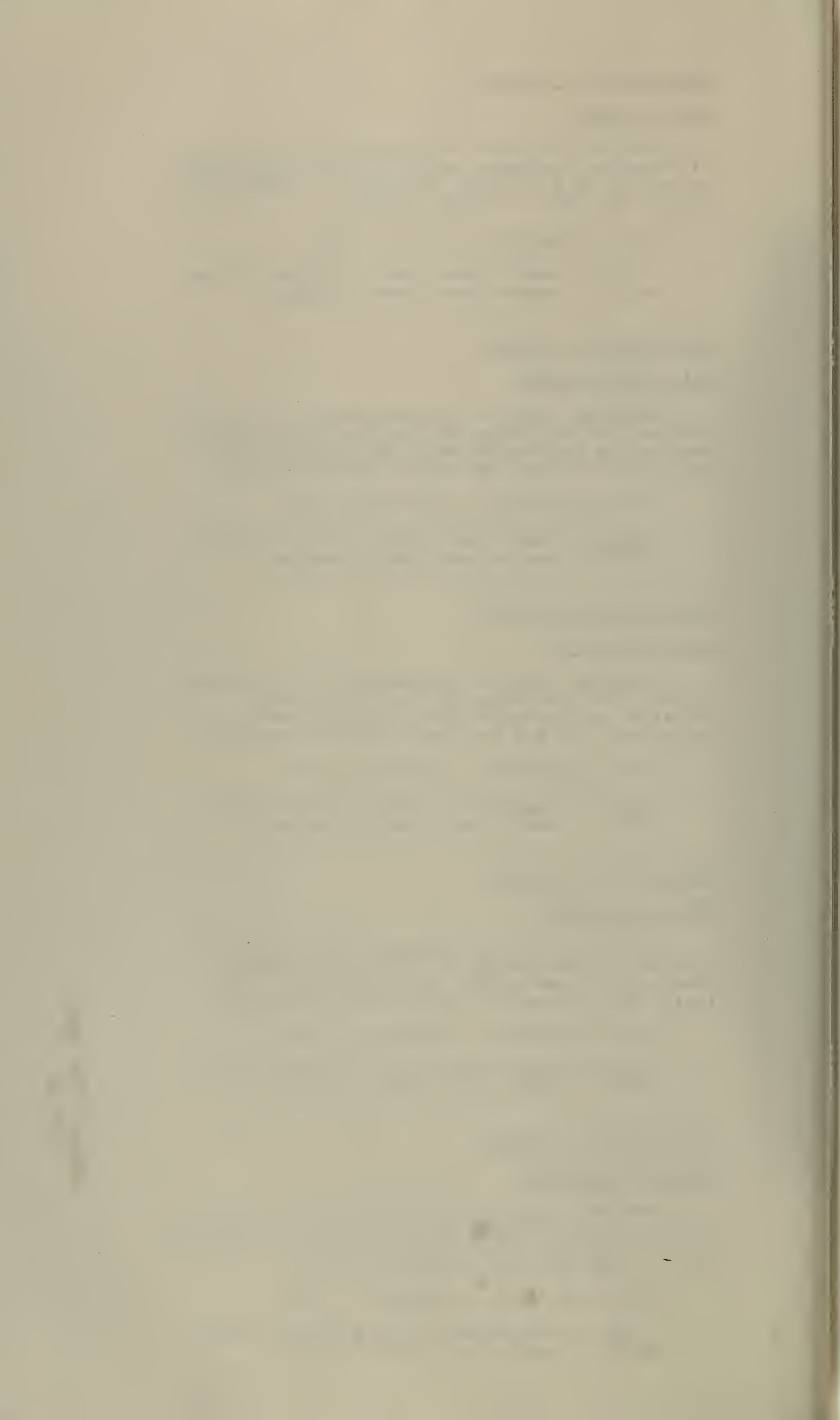
RESOLUTION NO. 1240-86

REGINALD JAY JONES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Reginald Jay Jones in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1241-86

ABC TOWING (NATAN PEREZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Natan Perez) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1242-86

ABC TOWING (RAYMOND MILLER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Raymond Miller) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1243-86

ABC TOWING (GEORGE PEACOCK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (George Peacock) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1244-86

ABC TOWING (PAULINE VARGAS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Pauline Vargas) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 24, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1245-86

ABC TOWING (CHRISTIAN LATTIG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Christian Lattig) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 21, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

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RESOLUTION NO. 1246-86

ABC TOWING (LINDA KAHN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Linda Kahn) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1247-86

ABC TOWING (ALEX FAGAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Alex Fagan) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1248-86

ABC TOWING (DIANE GOODMAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Diane Goodman) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1249-86

ABC TOWING (TROY HARRIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Troy Harris) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1250-86

ABC TOWING (DEBRA LACY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Debra Lacy) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

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RESOLUTION NO. 1251-86

ABC TOWING (EDWARD WALSH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Edward Walsh) in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1252-86

UGO QUEZADA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ugo Quezada in the sum of \$87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1253-86

KIM R. CLARK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kim R. Clark in the sum of \$77.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Unstated (Hearing Date:  
Oct. 29, 1986)

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1254-86

EMMIE H. COX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emmie H. Cox in the sum of \$76.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 3, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1255-86

ABC TOWING (VLADIMIR MORAVEC)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Vladimir Moravec) in the sum of \$76.25 as a result of a faulty tow, be, and the same is hereby approved.



Date of Incident: September 8, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1256-86

ABC TOWING (STEPHEN BLALOCK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Stephen Blalock) in the sum of \$76.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1257-86

TERRENCE BRENNAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terrence Brennan in the sum of \$75.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 16, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1258-86

PETER TARDOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Tardos in the sum of \$70.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1259-86

CLEVELAND WRECKING COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cleveland Wrecking Company in the sum of \$67.50 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1260-86

CHARLES HICKOX, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Hickox, Jr. in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1261-86

BENJAMIN BUSTOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin Bustos in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 6, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1262-86

ABC TOWING (COLLOPY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Collopy) in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 26, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1263-86

HENRY D. LIPAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry D. Lipar in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1264-86

DARCY PRIME

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darcy Prime in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

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RESOLUTION NO. 1265-86

ROBERT L. SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert L. Smith in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 3, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1266-86

ABC TOWING (CLELAND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Cleland) in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1267-86

JOSE MIGUEL DE LA FUENTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jose Miguel De La Fuente in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1268-86

DALE G. SHRUM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dale G. Shrum in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1269-86

MELISSA C. BATCHELDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melissa C. Batchelder in the sum of \$64.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1270-86

ABC TOWING (RAFAEL FLORES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Rafael Flores) in the sum of \$63.60 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1271-86

ABC TOWING (RAQUEL FOX)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Raquel Fox) in the sum of \$60.15 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1272-86

BETSY ROSENBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Betsy Rosenberg in the sum of \$58.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 6, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1273-86

JOHN C. MILLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John C. Miller in the sum of \$56.70 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1274-86

DIANE M. DURBIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diane M. Durbin in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 6, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1275-86

DOROTHY K. FASTIGGI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dorothy K. Fastiggi in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Oct. 27 or 28, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1276-86

JAYNE HUNT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jayne Hunt in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 8, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1277-86

JIM HABER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jim Haber in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1278-86

TERRY INGRAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry Ingram in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1279-86

FRANCISCO ALVAREZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francisco Alvarez in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 16, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1280-86

RAE ANN GRIFFITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rae Ann Griffith in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1281-86

ANN MICHELE CARDELLA

RESOLVED, that the recommendation of of the City Attorney for settlement of the claim of Ann Michele Cardella in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1282-86

UGO QUEZADA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ugo Quezada in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1283-86

LESLIE BALLAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie Ballan in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1284-86

STACEY KAYDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stacey Kayden in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1285-86

WINSTON LIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Winston Lin in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1286-86

GEORGE AND TEEDA GARENS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George and Teeda Garens in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 24, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1287-86

YELLOW CAB CO-OP, INC

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-op, Inc. in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 17, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1288-86

BETH L. POPOWSKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beth L. Popowski in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1289-86

HOWARD M. KENYON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard M. Kenyon in the sum of \$53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Unstated (Hearing Date:  
October 3, 1986)

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1290-86

STANLEY JUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stanley Jue in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1291-86

RICHARD CASTRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Castro in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1292-86

GEORGE KANDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Kander in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 16, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1293-86

GRETCHEN ANDERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gretchen Anderson in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 3, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1294-86

CLARISSA TSAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clarissa Tsai in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1295-86

LEATRICE E. TSANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leatrice E. Tsang in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1296-86

MARIA ELENA VIOLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maria Elena Viola in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 27, 1986

AYES: Commissioners Davis, Giraudo, Owens  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1297-86

ROBERTO JUAN QUINTERO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roberto Juan Quintero in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 2, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1298-86

CARLOS SARDINA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carlos Sardina in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1299-86

JULIO C. ELVIR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julio C. Elvir in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1300-86

BERNICE BRIGGS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bernice Briggs in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1301-86

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-op, Inc. in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 4, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1302-86

LARRY W. FARMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry W. Farmer in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1303-86

GEOFFREY PHILLIPS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Geoffrey Phillips in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1304-86

TIMOTHY CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timothy Chan in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1305-86

MARY BONFILIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Bonfilio in the sum of \$53.25 as a result of faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1306-86

GORDON J. DE BRUNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gordon J. De Brune in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1307-86

BRIAN LEVITT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Levitt in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1308-86

REGINA A. O'LAGUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Regina A. O'Laque in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 28, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1309-86

KATHLEEN DUGHI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathleen Dughi in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez





RESOLUTION NO. 1310-86

TERRENCE Y. or ELAINE JACKSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terrence Y. or Elaine Jackson in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1311-86

ROMAIN B. GUILLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Romain B. Guillen in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 25, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1312-86

LAURIE HUGGINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurie Huggins in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1313-86

ROBERT S. SELBY, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert S. Selby, Jr. in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1314-86

LORI M. WURZEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lori M. Wurzel in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez



RESOLUTION NO. 1315-86

BENDAD WARDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bendad Warda in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1316-86

LORGE QUANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorge Quant in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1317-86

MARTA T. MOLINA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marta T. Molina in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1986

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

POLICE COMMISSION REPORT

The Police Commission met in Closed Session tonight and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had no report for the Commission at this time.

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER C-4, "LONG DISTANCE TELEPHONE USAGE"

Deputy Chief Casey advised the Commission that this General Order is merely a housekeeping change on the use of the telephone. He said a few months ago the Department received a new telephone system and this order merely reflects the long-distance use on the new system.

Commissioner Giraudo made a motion to approve it, it was seconded by Commissioner Davis and unanimously approved.





RESOLUTION NO. 1222-86

RESOLVED, that the Police Commission hereby approves the revision to Department General Order C-4, "Long Distance Telephone Usage".

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

PUBLIC HEARING ON REVISED DEPARTMENT GENERAL ORDER  
B-1, "PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS  
STANDARDS"

Mr. Robert Barry, President of the SFPOA said he had requested a continuance of this Order by mail this afternoon for some reasons his Association developed in relationship to the body composition standards that have been placed in the order. He said they would like to have more time to have their experts meet with Department Officials to develop a better Order to enable them to come back with a consensus in a couple of weeks. Commissioner Giraudo said he would move for a continuance of four weeks. Commissioner Davis seconded and it was unanimously approved.

At this time, Lt. Greg Winters addressed the Commission on an item not calendared for tonight's meeting. He said this afternoon he received a call from Mr. Wayne Canterbury, Attorney for Luxor Cab Cooperation, regarding a matter of Luxor Cab being on calendar for December 18, 1986. He said Mr. Canterbury had a long scheduled arbitration for that date in which he is the arbitrator and there are multiple parties. He said Mr. Canterbury is asking that that matter be continued to another date at that time. The Commissioners acknowledged that request and indicated it would take that particular action on December 18, 1986.

REQUEST OF YELLOW CAB COOPERATIVE, INCORPORATED OF  
SAN FRANCISCO FOR PERMISSON TO BECOME SELF-INSURED

Mr. James Steele, President of Yellow Cab Coop. Inc., said he was appearing tonight to make a request of the Commission to allow Yellow to become self-insured and increase their self Insurance retention to at least \$500,000. He said the reason is that taxi companies cannot buy insurance anymore and the Insurance Companies are now telling them that come January they will be adjusting the Coop's premium again.

Mr. Keith Grand, City Risk Manager said he has been working with the Permit Section for some time on the general issue of insurance problems of SF Taxi Cabs. He said the reality is that they are facing a real crunch. He said the Police Code requires that they maintain Insurance or qualify to self insured per the terms of the code in order to operate. In reality today, he said, there is no insurance company in the state that is willing to write an insurance policy for these cabs. He said he was not opposed to the concept of self insurance as long as it is done properly and that there are proper finances to take care of whatever risk there is and the administration of claims of defense and so on.



He said he was not prepared tonight to say that he knows all of the details of what Yellow Cab's plan is or recommend that the Commission do anything tonight. He said, also, other smaller cab companies are faced with the problem and the Commission is going to be faced with what will be done with those unable to become self insurers. He said he would believe that two weeks would be a reasonable time for him to come up with an analysis of what Yellow intends to do in their efforts to become self insured.

Commissioner Giraudo said he would move that the matter be continued for two weeks. Commissioner Nelder said the motion has been made and seconded and the issue will be heard in two weeks.

RESOLUTION NO. 1223-86

RECOMMENDATION OF THE CHIEF THAT THE POLICE COMMISSION REVOKE THE LIMOUSINE PERMIT AND 26 INTER-URBAN BUS PERMITS HELD BY SAN FRANCISCO AIRPORTER, INC.

WHEREAS, the date for the hearing on the recommendation of the Chief of Police to revoke the Limousine Permit and 26 inter-urban bus permits held by San Francisco Airporter, Inc. was called it having been continued from the meeting of August 28, 1986, and

WHEREAS, there were no representatives from the San Francisco Airporter, Inc., it was requested by the Police Commission that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. be continued to December 18, 1986; therefore be it

RESOLVED, that the date for the hearing on the revocation of Limousine Permit and inter-urban bus permits held by San Francisco Airporter, Inc. is set for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1224-86

DONATION OF AN SFPD HORSE NAMED "CHIEF" TO THE SISTER CITY COMMITTEE FUND

WHEREAS, the Metropolitan Police Department of Caracas, Venezuela and the San Francisco Police Department have established an accord to better law enforcement professionalism and performance through mutual cooperation, and

WHEREAS, the San Francisco Police Department is desirous of solidifying the relationship of the law enforcement agencies of the Sister Cities of Caracas and San Francisco, and

WHEREAS, the San Francisco Police Department wishes to help initiate the establishment of a Mounted Police Unit in Caracas, Venezuela by donating a horse through the Sister City Fund, and





WHEREAS, the San Francisco Police Department now possesses the horse "Chief" which is trained and suitable for use as a mounted patrol; now therefore be it

RESOLVED, that the Police Commission authorizes the Chief of Police to transfer ownership of the horse "Chief" to the Sister City Fund for donation to the Metropolitan Police Department of Caracas, Venezuela.

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

RESOLUTION NO. 1234-86

STATUS REPORT ON SERGEANT GREGORY CLONEY,  
COMMUNICATIONS DIVISION

WHEREAS, the status report on Police Sergeant Gregory Cloney, Communications Division, was called it having been continued from the meeting of October 16, 1986; and

WHEREAS, Sergeant Gregory Cloney appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

WHEREAS, Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

WHEREAS, an opening statement was made by Mr. Casimir Wilson for the Defense, and

WHEREAS, an opening statement was made by Mr. Jerry Akins for the Prosecution, and

WHEREAS, it is the recommendation of the Chief of Police Frank M. Jordan that because Sergeant Gregory Cloney is making satisfactory progress, that no adverse action be taken against him at this time and that he be permitted to continue in the Alternative to Punishment Program set forth in Rule VIII of General Order D-4; therefore be it

RESOLVED, that the Chief's recommendation for Sergeant Gregory Cloney, Communications Division, is unanimously accepted and is hereby affirmed and approved.

AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

HEARING OF POLICE OFFICER DONNIE CARTWRIGHT, TRAFFIC  
ADMINISTRATION

The hearing of the disciplinary charges filed against Police Officer Donnie Cartwright, Traffic Administration, was called it having been set for this date. Police Officer Donnie Cartwright was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to make a report to his Commanding Officer of a crime which came to his attention (violation of Rule A-26 of General Order D-1 of the San Francisco Police Department);





SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Donnie Cartwright appeared in person and was represented by Mr. Joseph O'Sullivan, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. Joseph O'Sullivan for the Defense.

The following named witnesses were called by the Prosecution, were sworn and testified:

Sergeant Eric Cranston, Institution Police,  
San Francisco General  
Hospital

Sergeant William Hardeman, Management Control  
Division

Ms. Gail Ruffin, 2770 Fillmore Street  
San Francisco, CA

Ms. Clarice Ruffin, 3172 25th Street  
San Francisco, CA

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Patrol Unit Log of Officer  
Cartwright dated 10/03/86

Exhibit #2 CAD printout for Officer  
Cartwright's Unit 3D61

The following named witnesses were called by the Defense, were sworn and testified:

Mr. Robert Cartwright, 1600 E Street  
Oakland, CA

Reserve Officer Gregory Mar, 1357 35th Avenue  
San Francisco, CA

Officer Donnie Cartwright, Traffic  
Lieutenant John Brunner, Robbery Detail

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Specification No. 1 is sustained and Specification No. 2 is not sustained.

Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Specification No. 1, Officer Donnie Cartwright be suspended for 30 days.



The Commission again took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1233-86

DECISION - HEARING OF POLICE OFFICER DONNIE  
CARTWRIGHT, TRAFFIC ADMINISTRATION

WHEREAS, on October 31, 1986, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Donnie Cartwright as follows:

SPECIFICATION NO. 1

Failure to make a report to his Commanding Officer of a crime which came to his attention (violation of Rule A-26 of General Order D-1 of the San Francisco Police Department);

- (1) At all times herein mentioned, Donnie Cartwright, Star No. 497, was and is a police officer employed by the San Francisco Police Department. At the time of this incident Officer Cartwright was assigned to the Mission Station, however he is currently assigned to Traffic Administration;
- (2) As a police officer, Officer Cartwright (hereinafter "the accused") was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On or about October 2, 1986 at approximately 2300 hours the accused reported for duty at Mission Station;
- (4) On or about October 2, 1986 at approximately 2315 hours the brother of the accused responded to Mission Station and informed the accused that he had just been thrown out of the house where he was residing with friends;
- (5) The accused, Reserve Officer Gregory Mar, Star No. 3673 and the accused's brother responded to a residence on 25th Street, in a marked police vehicle. The accused was on-duty and in uniform when he arrived at the residence on 25th Street;
- (6) When the accused arrived at the residence on 25th Street, he was informed by the occupants of the residence that his brother had been made to leave the residence because the accused's brother had allegedly molested two children who resided there;
- (7) The accused then entered the residence and interviewed the two children victims about the allegations that the accused's brother had molested the children;





- (8) The accused did not make a police report of this incident, nor did he report this incident to his Commanding Officer. The accused then removed several items of personal clothing which belonged to his brother from the residence and allowed his brother to leave the area;
- (9) Child molestation is a crime under the California Penal Code;
- (10) The accused by failing to make a report to his Commanding Officer of a crime which had come to his attention while on duty has engaged in conduct, which constitutes a violation of Rule A-26 of General Order D-1 of the San Francisco Police Department, which states:  
  
"Members shall, when on-duty, make a written report to their commanding officer of any crime or urgent police matter that comes to their attention, on which an incident report has not been made or that has not already received the attention of another member."

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (11) The allegations contained in paragraphs 1 through 9 in Specification No. 1 are hereby incorporated by reference as if fully set forth herein;
- (12) The accused after questioning the two children informed the children's parents that he could not do anything regarding their complaint of child molestation because the suspect was his brother;
- (13) The accused failed to follow the procedures set forth in General Order I-5 of the San Francisco Police Department for processing allegations of sexual assault cases involving victims under 17 years of age, or take any police action against his brother;
- (14) The accused by failing to make a report to his Commanding Officer that a crime involving his brother had come to his attention, by interviewing the two children who were allegedly the victims of an alleged criminal act committed by the accused's brother; by failing to follow the procedures set forth in General Order I-5 of the San Francisco Police Department for processing sexual assault cases; by informing the parents of the children that he could not take any police action because the suspect was his brother and by letting his brother leave the area where the alleged criminal action took place, has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:



"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, December 4, 1986, and on Thursday, December 4, 1986 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-26 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Donnie Cartwright are sustained, and allegations contained in Specification No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department are not sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Specification No. 1	[penalty]	30 calendar days suspension
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and be it further

RESOLVED, that said suspension totaling thirty (30) calendar days is to be imposed commencing Friday, December 5, 1986 at 0001 hours and ending Saturday, January 3, 1987 at 2400 hours.


AYES: Commissioners Davis, Giraudo, Nelder  
ABSENT: Commissioners Owens, Sanchez

Recesses taken during the hearing of Officer Donnie Cartwright:

8:16 p.m. to 8:24 p.m.  
9:33 p.m. to 9:40 p.m.  
9:42 p.m. to 9:44 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 9:00 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





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= Minutes  
DECEMBER 8, 1986

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, December 8, 1986 at 0930 hours in a Special Meeting.

AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

FEB 24 1987

HEARING OF POLICE OFFICER RICHARD WOO,  
COMMUNICATIONS DIVISION

SAN FRANCISCO  
PUBLIC LIBRARY

The hearing of Police Officer Richard Woo, Communications Division, was called it having been continued from the meeting of October 9, 1986.

Police Officer Richard Woo appeared in person and was represented by Mr. William J. Murphy, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Sergeant Norbert Guterrez, Company A  
Officer Leon Loew, Company A  
Officer Kenneth Sanchez, Field Training Office

The following exhibit was entered into evidence by the Defense:

Exhibit JJ      Police Bill of Rights

After listening to testimony from the above parties, the matter was continued to Tuesday, January 6, 1987 at 0930 a.m. in Room 551, Hall of Justice.

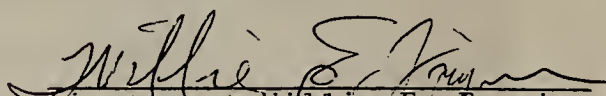
AYES: Commissioners Nelder, Owens, Sanchez  
ABSENT: Commissioners Davis, Giraudo

Recesses taken during the hearing of Officer Richard Woo:

10:10 a.m. to 10:18 a.m.  
11:15 a.m. to 11:38 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 1:00 p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION





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DECEMBER 11, 1986

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, December 11, 1986 at 1730 hours in a Regular Meeting.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 16, 1986

Approval of Minutes of Meeting of October 16, 1986, the Commissioners having received, approved, and returned copies of same.

DOCUMENTS DEPT.

MAR 2 1987

SAN FRANCISCO  
PUBLIC LIBRARY

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1319-86

SCOTT HANSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Scott Hansen in the sum of \$278.65 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 12, 1985

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1320-86

EDUARDO CASTILLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eduardo Castillo in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1321-86

RAUL FERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raul Fernandez in the sum of \$64.75 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez



RESOLUTION NO. 1322-86

LAU WAI FOO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lau Wai Foo in the sum of \$53.25 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1323-86

ABC TOWING (SHICK, DAVID)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Shick, David) in the sum of \$34.50 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 23, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1324-86

RENWICK KEEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Renwick Keel in the sum of \$10.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 16, 1986

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said the Commission does have a special item this evening which the Commission would like to share with the people present and with the media that is sponsored by the SFPOA for this special season. Mr. Bob Barry, President of the SFPOA thanked the Commission for giving him the opportunity to speak tonight on behalf of the SFPOA's special program. He said he was here to present to the Police Commission and to the members of the public an insight to the POA's food drive that is taking place this Holiday Season. He said this is the second year of their food drive as it started last year within the POA and it was coined arrest hunger. He said they started out with cooperation from K101 Radio and with Safeway Stores in San Francisco utilizing Police Officers, Community Leaders, Citizens, Senior Escort Volunteers and others throughout the Bay Area to help the POA generate a lot of food for needy senior citizens shut ins in San Francisco and other needy families.





He said they started the program right after Thanksgiving and they went each successive Saturday to various Safeway's and collective coventries, resulting in the distribution of a thousand food baskets exactly like the one that is demonstrated on the podium tonight. He said the gentleman that was responsible for setting this program up is Mr. Frank Velasquez. He said Mr. Velasquez was invited to the Nation's Capital, Washington D.C. where the SFPOA Arrest Hunger Program was cited as one of the foremost programs in the United States today. Mr. Frank Velasquez then appeared and addressed the Commission on this most noteworthy subject. He thanked the Commission for the opportunity to speak to them and the members of the public and to share with them a six minute video and also the concept of the program which will be shown at the conclusion of his presentation. He said the program has been so successful that the White House has asked that they replicate the program throughout the United States. He said the program has the full support of U.S. Conference of Mayors and they presented it to the International Association of Chiefs of Police and not only do they have the endorsements of the IACP's of the United States but they have it from 72 countries of the free world.

The Video of the program was then shown for all those present to see.

After viewing the film, Chief of Police, Frank Jordan said he wanted to compliment the SFPOA under the guidance of President, Bob Barry and also Mr. Frank Velasquez for taking his time to administer the program. He said he sees this as a very positive program for the SFPD and he wanted to compliment all those who are personally involved. He then presented a Proclamation that was issued by the Mayor's Office to the Police Commission and in doing so he briefly highlighted the last two paragraphs of the Proclamation.

Commissioner Sanchez said that on behalf of the Police Commission he wanted to state to all involved a job well done.

#### CHIEF'S REPORT TO THE POLICE COMMISSION

No report.

#### RESOLUTION NO. 1318-86

#### NOTIFICATION AND FILING OF CHARGES AGAINST PATROL SPECIAL OFFICER ELBERT TAYLOR, RICHMOND DISTRICT

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Patrol Special Officer Elbert Taylor, Richmond District, as follows:

#### CHARGE NO. 1

Failure to properly report a police incident which came to his attention (violation of Rule 3.413 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department);



CHARGE NO. 2

Engaging in conduct which brings discredit on the Department (violation of Rule 2.13 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of Patrol Special Officer Elbert Taylor, Richmond District, is scheduled for Thursday, December 18, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Davis, Giraudo, Nelder, Owens, Sanchez

PUBLIC HEARING ON PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF ADDITIONAL TAXICAB PERMITS

PRES. SANCHEZ: If we could at this point, for the sake of everyone here, this is part two of our public hearing on convenience and necessity and I'll remind everyone what our ground rules are.

Each speaker will be given three minutes. Commissioner Nelder will notify you when you have 30 second left to summarize. Anyone who has spoken at our meeting on November 6 will not speak this evening so we will only be hearing from those whom we have not heard from.

We have also received a great deal of information, including many recommendations and suggestions which the Commission is in the process of reading.

This is part two of our public necessity hearings and at the close of the hearings then the Commission will make a determination at what our next point will be, whether it's a study or whatever, and also we'll listen to the Chief's recommendation pertaining to the close of this hearing.

And so at this point if we can have the first three names, Lieutenant, called out so the people can come identify themselves and tell us if you're speaking as an individual or as an example, if you're speaking on behalf of certain people or organizations and then you have three minutes to address the Commission pertaining to the public need and necessity.

We hope your comments will be clear and distinct and not repetitious but you do have an opportunity to share your thoughts with the Commission pertaining to this matter tonight.





The speakers, all against the issuance of new permits were as follows

Mr. Michael Wilson  
Mr. Chuck Mack  
Mr. Stephen Woodworth  
Mr. Jim Steele  
Mr. Marv Gralnick  
Mr. Art Lempke  
Mr. Ed Healy  
Mr. Scott Van Leuven  
Mr. Joe Bryant  
Mr. Larry Russell  
Mr. James O'Connor  
Mr. Ed Burke  
Mr. Bill Softco  
Ms. Rua Graffis  
Mr. Mike Sealey  
Mr. Jack Decota  
Ms. Mae Tong  
Mr. Stephen Keith  
Mr. Bob Franklin  
Ms. Alice Chun  
Mr. B. B. Ralph  
Mr. Tad Dunlap  
Mr. Michael Jordan  
Mr. Charles Price  
Mr. Richard Tetenbaum  
Mr. Phil Greeny

The speakers, all for issuance of more cab permits were as follows:

Mr. Jack Trad  
Mr. Clement Angeles  
Mr. Charles Bonner  
Mr. Guy Dolpe  
Mr. Bajar Civaro  
Ms. Michelle Dobasac  
Mr. Marcos Tafese  
Mr. Yossedek Desta  
Mr. Jose Cochela

ACTING PRES. NELDER: All right. Ladies and gentlemen, we've sat here for the second full meeting in this public convenience and necessity hearing and basically it's been referred to many times by various speakers that there has to be a convincing show of the need for additional permits before this Commission can act and very honestly I think each of us has a reservation having heard a lot of good ideas and having heard a lot of feeling from people in the industry and very few from outside of the industry.

However, I think at this particular time before this Commission acts, I'll go to Chief Jordan and ask him for his recommendation at this time.

CHIEF JORDAN: Members of the Commission, Ladies and gentlemen, it's obvious listening to the testimony tonight and in the previous meeting that there are no easy solutions. We're going to do the very best we can for the citizens of San Francisco and your testimony has a great deal of balance trying to do what we think is right but needless to say, it's not going to be an easy decision to make and it's going to take a little more time.





We're going to be looking at all the things you bring up, from having the needs to have more cab stands to central dispatch or whether all cabs communications equipment should have communications equipment or even upgrade the existing equipment in communications, adequate wheelchair and handicapped taxi access, whether you need to reform the measures of the cab industry or work ethics, whatever it might be that's needed.

I think also we can start looking into forming a coalition or task forces. These are all issues that need to be addressed and we just can't do it overnight and we're taking into consideration everything you said.

Therefore, I recommend we take all the testimony and bring it back to our Permit Bureau and as soon as possible but no later than within the next 90 days, to bring back to this Commission a number of options that we may be able to work with, to see if we can take your considerations into fairness of taxicab, decent taxicab service to the citizens of San Francisco. I will try to do it as quickly as I can but in fairness to the Permit Bureau who has to sift through all this information and documentation, I would say within 90 days, but no later than 90 days to bring it back to the Police commission. That would be my recommendation.

ACTING PRES. NELDER: Chief, and this will include an involvement of people from the industry and people from various bureaus and agencies and others, would that be correct?

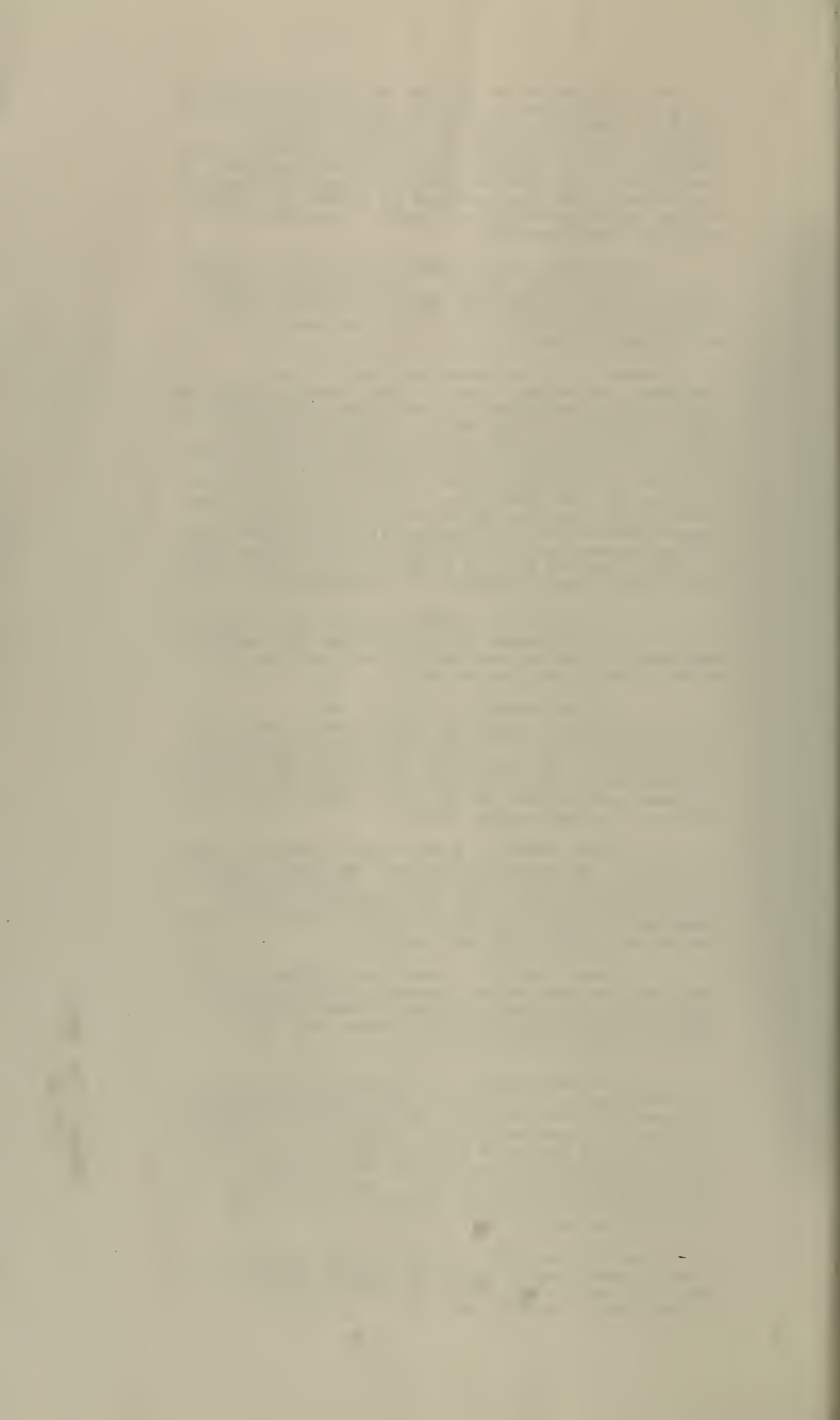
CHIEF JORDAN: If that's your recommendation, I would be happy also to take that into consideration. The bottom line, part of our recommendation to the Permit Bureau may be with the information we give you, the number of options, some of those options may be to form a coalition or task force to further pursue this.

COMM. OWENS: I move that a complete study be made by the Permit Bureau and any other agencies or individuals that they want to include in this study and that this study be submitted to this Commission within the timeframe that the Chief has indicated, within a 90 day period.

COMM. DAVIS: I would second that but I just want to make a few comments, that I want to commend everybody here who has offered opinions. They have been diverse and I commend you also for being courteous to each other.

I think that a lot of information has been presented here. I like the study concept because I'm sure that there's some statistical information, and there is some analytical information. I would hate to see a decision that's just based on the spectrum of passions and public necessity and convenience but, one that is a little bit more analytical than just the viewpoints of the, the varied viewpoints we have here.

I would also hate to see a study that the Permit Bureau came in with and people looked at it and said that didn't cover the full spectrum of things that it should have.



So some combination of certainly a detail, professional, analytical study but with some guidance along the way from the experts, from the users, from those affected as they say, is this study going to embrace all the important things and that would be the truth that I'd like to get covered, is it going to cover it. Not that the task force would guide it but at least does it cover the things that needs to be covered.

Let the Bureau, Permit Bureau do what it needs to do and bring the options back to this Commission for some suggested decisions.

So with that, I second the concept with the addition of some opportunity for input by those people affected.

ACTING PRES. NELDER: Well, you heard the recommendation by the Chief and the motion and the second by the Commissioners, and I certainly am in support of what the Chief and both Commissioners have said, because there have been some excellent ideas that have been advanced at the podium. I think some of the things that have been offered to us as possibilities have to be considered by you, the industry, otherwise there probably will be an increase in permits. I think that the perimeter of San Francisco has to be served. There was one recommendation by Mr. Mirabile that will certainly be studied by the Permit Bureau and by the task force that the suggestion was that perhaps we should go back to taxi stands in the outside, on the outlying areas.

Now, this really isn't a bad idea and very honestly, it isn't inventing the wheel and that's the way it used to be and it worked very well. They took a position by the stand, which had a live phone and the cabs were real busy and I'm sure that the people that are familiar with that will corroborate that.

I think there were some real good ideas coming forth and I think the industry can implement and make these suggestions and probably implement them before the task force gets through with their study. But there are some complaints. You know that and I know that but the fact of the matter is that the testimony has been deduced here hasn't been clear, concise, convincing to say to us hey, we need x number of cabs. Very honestly, there isn't any pressure on us, nobody here has asked Commissioner Davis or the other Commissioners, Commissioner Juanita Owens or Sanchez or Giraudo or myself. Nobody said we want this number of cabs or we don't want any cabs. We have an open mind as I told you when this meeting started and the only thing that we can consider is what you offer us from the microphone and I think the Chief is totally right, and at both of these long hearings, there has been a lot of testimony offered, a lot of good ideas offered and I think they should be pursued. I think if you implement some of the things that have been advanced here, I think that the people will be better served and I think the industry will be happier with the results.

So with that in mind, I'll call the question and ask those all in favor of the recommendation of the Chief say aye.






(Whereupon, the motion passed unanimously).

ACTING PRES. NELDER: The ayes have it.

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

The meeting, thereafter, was adjourned at 9:30  
p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION




(Whereupon, the motion passed unanimously).

ACTING PRES. NELDER: The ayes have it.

AYES: Commissioners Davis, Giraudo, Nelder, Owens,  
Sanchez

(The entire text of this item was recorded in  
shorthand form by Ms. Linda S. Pransky, CSR and  
is on file in the Office of the Police  
Commission.)

The meeting, thereafter, was adjourned at 9:30  
p.m.

  
Lieutenant Willie E. Frazier  
Secretary  
THE POLICE COMMISSION



